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The Public's Perspective — Justice Administration 1980: A Survey of Public Opinion

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Summary

This public opinion survey was commissioned by the Alaska Criminal Justice Planning Agency, Governor's Commission on the Administration of Justice, to help people interested in justice administration in planning, predicting, and educating with respect to the future design and administration of the justice system in Alaska. The survey was conducted during November and December 1979 and included 676 respondents from throughout Alaska. The survey elicited public opinion in four major areas: (1) the climate of public safety, including perceptions of crime rates, public safety, gun ownership, victimization, and family violence; (2) images of the justice professional, including professional skills, professionalism, educational qualifications, discretionary judgments, and discriminatory practices; (3) changes in the law, including the role of public opinion in revision of law, strictness and leniency of laws, perceptions of revisions (including recent revisions in sentencing, the Alaska criminal code, alcohol regulations, and drug laws), perceptions of laws relating to alcohol, marijuana, and other drugs, criminality of gambling and sex offenses, and election of justice officials; and (4) public attitudes toward selected decisions regarding the administration of justice, including law enforcement and corrections priorities, justice services in rural Alaska, consolidation of public safety services, police use of firearms, sentencing, and public education in justice.

THE PUBLIC'S PERSPECTIVE
JUSTICE ADMINISTRATION 1980

A SURVEY OF ALASKAN PUBLIC OPINION



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THE PUBLIC'S PERSPECTIVE
JUSTICE ADMINISTRATION 1980

A SURVEY OF ALASKAN PUBLIC OPINION

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Highlights

I. The Climate of Public Safety

(1) For the time period tested, a majority of the public continues to have a perception (largely unsupported by reported crime and victimization data) that crime is on the increase. The pattern of perception is generally that one's own neighborhood is stable but that area crime is increasing and state crime is worse.

(2) Alaskans are relatively comfortable in their sense of personal safety though they feel substantially safer in the neighborhood than in the business area in the evening. As measured by the reason people say they own guns, the public may feel safer this year than in 1976.

(3) The perception of victimization by burglary is up slightly, a perception usually at variance with reported burglary.

(4) The most frequent type of family violence reported was men beating their wives though the aggregate of other family violence exceeded this frequency. When family violence is not reported, it is most often because people feel that the police can't do anything about it.

II. Images of the Justice Professional

(5) From 1976 to 1980, the public perception of corrections professional skill has risen very substantially.

(6) A preference for the highest standard educational attainment is apparent with respect to all justice professions. This includes a preference for educated magistrates.

(7) The public appears ready to grant considerable leeway to the judges in the sentencing process but about half the public thinks the District Attorney has too much discretion.

(8) The public appears to be largely unaware of the highly publicized elimination of plea bargaining which has occurred in recent years.

(9) About half the respondents do not see the courts as racially neutral but the perception may be of a bias for or against minorities. In particular, more of the public which believes there is a bias (including its minority constituents) believe the courts are more lenient in the sentencing of minority members, a surprising result considering the publicity given to Judicial Council studies with contrary implications. A similar response prevails relative to parole. On the other hand, the half of the public that sees discrimination in police stops, the one tested police practice, and prosecution charging practices is more likely to see both as adverse to minorities.

III. Changes in the Law

(10) The level of public awareness of various criminal law reform efforts is modest (a range of 49-66%).

(11) While a solid majority (60-40%) of the public opposes handgun registration, the reverse is true in rural Alaska.

(12) Attitude to drug and alcohol use is diverse. Over a third of the public is ready to recriminalize the sale of alcohol, for example, but some central themes emerge:

(a) the public does not support recriminalization of marijuana offenses decriminalized in the 70's as a result of court cases and legislative acts.

(b) the public does not support felony treatment of ordinary marijuana sales.

(c) the public strongly supports the protection of minors with respect to drugs and alcohol.

(13) The public does not support the current extent of criminalization of prostitution.

(14) The public prefers elected judges, District Attorneys and the Attorney General.

IV. Attitudes to Selected Operational Decision and Resource Allocations

(15) Public support for jail facilities is low enough to cause concern.

(16) Public reporting habits and aid of law enforcement and crime prevention are also low enough to be a cause of concern.

(17) There is general acceptance of the need for more justice services in rural Alaska with the public's priority being given to rehabilitation services.

(18) The climate in rural Alaska is favorable to a combined, "public safety officer" concept though this view would not predominate in urban areas.

(19) The public attitude is favorable to police firearms use policy based on risk to life.

(20) A majority of the public supports substantial judicial discretion in sentencing.

(21) The public is permissive with respect to the comforts and opportunities to be afforded prisoners so long as security is not impaired and so long as the prisoners are not beyond institutional walls.

THE PUBLIC'S PERSPECTIVE
JUSTICE ADMINISTRATION 1980
A SURVEY OF ALASKAN PUBLIC OPINION

Introduction

This public opinion survey was commissioned to help people interested in justice administration in planning, predicting and educating with respect to the future design and administration of the justice system. The differences among approaches to discovery of public opinion and the use of public opinion in policy development for criminal justice are topics deserving of extended, separate treatment. The interpretation and use of answers given by the public to questions specially asked of it pose issues of some subtlety and controversy, with a history as old as the democratic tradition itself. What follows immediately is an analysis and interpretation of some measurements of public opinion. Those who prefer their surveys unvarnished may turn immediately to Appendix II in which the questions asked and answers given are set out in the order asked. Here we will try to assess what the answers may mean and what implications they may have for policy makers in the field of justice administration. Since this involves "interpretation," others may have different interpretations of the same results. We expect and welcome such differences of opinion as identifying topics for further research and public discussion.

A survey of public opinion gathers information on beliefs, expectations and values, not facts. Public belief in rising or falling crime rates does not mean crime is on the increase or decrease. A generally held belief in lighter or more punitive

sentencing does not make either approach more likely to reform the criminal or protect the public. Belief in more or less education as a qualification for employment does not mean that more or less education improves job performance. Accordingly, "public opinion" should rarely be translated directly into policy. Our overall style of government is representative, not direct democracy. The importance of this distinction is accentuated by the increasing complexity of our society and the resulting specialization of knowledge. We are a privately oriented people who, as individuals, give little attention to public matters. In this questionnaire as in many other public surveys, questions are asked about topics little known to the public. Survey questions, therefore, are neither asked nor answered in the expectation that they will make law, only that they will enlighten it.

Then what can public opinion survey results be used for? At the minimum, professional judgment and performance criteria must include a recognition of the importance and influence of public attitudes on the environment of performance in general and with respect to particular sectors of the population. If, for example, the public believes that corrections cannot correct, then corrections administrators developing a community corrections program requiring public acceptance for success, must devote resources specially to building a foundation of public support when they launch the program.

Public opinion reflecting the view that a class of offenders should receive longer prison terms does not build prison capacity nor may it make sense in terms of the professional knowledge of corrections personnel, yet corrections policies must still operate

within that climate - including, for example, hostility to persons being released. If a large proportion of citizens within a particular racial minority of the population think that the police are prejudiced, then the police must make adaptive changes such as in training and procedures to combat that image if they are to expect cooperation from that sector of the public. This adaptation must be made notwithstanding the objective truth or falsity of the impression.

Where our survey finds public opinion in seeming conflict with a practice or procedure, adaptive adjustment or improved public education rather than major change is normally the implied response. There are some instances, however, where it is essential that a practice or procedure reflect public values. If polling finds that the values of the practice are out of step with the values of the times, significant revision may be necessary. More will be said of this in the discussion of law change in Part III.

We have tried to minimize use of the word "probably" which technically could preface every conclusion we draw. Space does not permit the explanation of all the factors which undermine uses commonly made of public opinion surveys. Answers may vary according to relatively modest differences in the language of the question.^{1/} The time of year of the polling, the weather and national and international political events and dozens of other extraneous events may also influence results. We have rarely

1/ See Boucher v. Bomhoff 495 P.2d 77 (Alaska 1972) and subsequent history for example where prefatory language to a referendum call for a constitutional question may have determined the outcome.

measured how strongly a person holds an opinion or what the sources of conviction are in fact or fancy, all relevant factors to the use of survey results. We have tried to minimize these problems and we have avoided drawing any conclusions in dozens of situations where we are concerned that technical problems and relatively small statistical distinctions cast doubt on the meaning of the data but these problems are inherent in opinion polling. Accordingly, a great many of these recommendations could be treated as hypotheses for further testing by the cautious administrator.

Public opinion surveys, then, are not ordinarily mandates for sweeping change. Public opinion is not a substitute for professional judgment but the two must engage in a continuous dialogue if the criminal justice system is to be effective. That is what this survey is about: the public speaks via the survey to the system professionals.

This survey was conducted in November and December, 1979. Sample supplements were made in January, 1980. We will refer to this survey as the 1980 survey though the sample was drawn in 1979 and 1980. Sampling was conducted in Alaska's four main geographic regions, as follows:

Rural Alaska - North/Northwest (Bethel, Nome, Kotzebue)

- 12%;

Central/Interior - (Fairbanks, Minto) - 23%;

Southcentral - (Anchorage, Kenai, Mat-Su) - 43%;

Southeastern - (Juneau, Sitka, Ketchikan) - 23%.

The resulting sample of 676 respondents had the following characteristics:

Sex: 58% male, 41% female

Age: 18 - 24, 12%

25 - 34 37%

35 - 49 33%

50 - 64 13%

65+ 3%

Unknown 3%

Race: Caucasian 80%

Alaska Native 12%

Black 2%

Other 3%

No Answer 3%

This population was well educated, with 62% having at least some college education, while 22% were high school graduates. Median income was between \$20,000 and \$30,000, with 16% reporting incomes of \$45,000 or more, and 14% reporting incomes of less than \$10,000. More than half (57%) had lived in Alaska for more than 10 years, and 83% were registered to vote.

For additional information concerning sampling procedures and characteristics of the sample, see Appendix I. The questionnaire is presented in Appendix II.

PART I

The Climate of Public Safety

1. PERCEPTIONS OF CRIME RATES

The actual incidence of crime is one of the more elusive statistics of the justice system. National and local reported crime rates vary for reasons having nothing to do with the incidence of crime. Changes in reporting practices, changes in the definitions of offenses, and many other influences can boost or depress crime statistics on a state, national or local scale without reference to the aggregate of actual events. In very recent years, justice researchers have given more weight to victimization studies (see Section 2 *infra*), survey data which includes unreported crime. But perceptions of personal victimization are also subject to reporting hazards.

Nevertheless, regardless of the actual incidence of crime, public perceptions of increase or decrease in crime are an indicator of level of concern or fear in the community and thus of one aspect of the quality of life.

Statistics showing a particular level of current apprehension are hard to evaluate since fear of crime has always been with us but rarely measured. On the other hand, regular testings of opinion to reveal changing attitudes from one time period to another are of value to justice planners. For example, higher fear levels in particular populations or places or times may suggest reallocation of resources or assurance of enforcement.

The first four questions of this survey attempted to measure public perceptions of changes in crime at three levels: neighbor-

hood, community and state and among juveniles:

In the past 12 months, August 78-July 79, do you feel that crime in your neighborhood has increased, decreased or remained about the same as it was before?

Within the past 12 months, August 78-July 79, do you feel that crime in Alaska has increased, decreased or remained about the same as it was before?

In your community do you feel that crime is increasing faster than the population, slower than the population, or that they are both increasing at the same rate?

In the past 12 months, do you feel that juvenile delinquency (acts which would be crimes if committed by persons over the age of 18) in your neighborhood has increased, decreased, or stayed about the same?

Figures 1 through 4 show results.

Public opinion responses are based on a mixture of personal and vicarious experiences. Particularly where personal contact is minimal, people are influenced to believe in changing crime rates according to what they are told by newspapers, by television and other media, and by the stated opinions of leaders in the justice field, in politics, religion and other areas of public life. Since the public is repeatedly told that crime rates are on the increase,

PERCEPTION OF NEIGHBORHOOD CRIME

PERCEPTION OF NEIGHBORHOOD CRIME
(Tektronix 4051 -- Data Graphing)

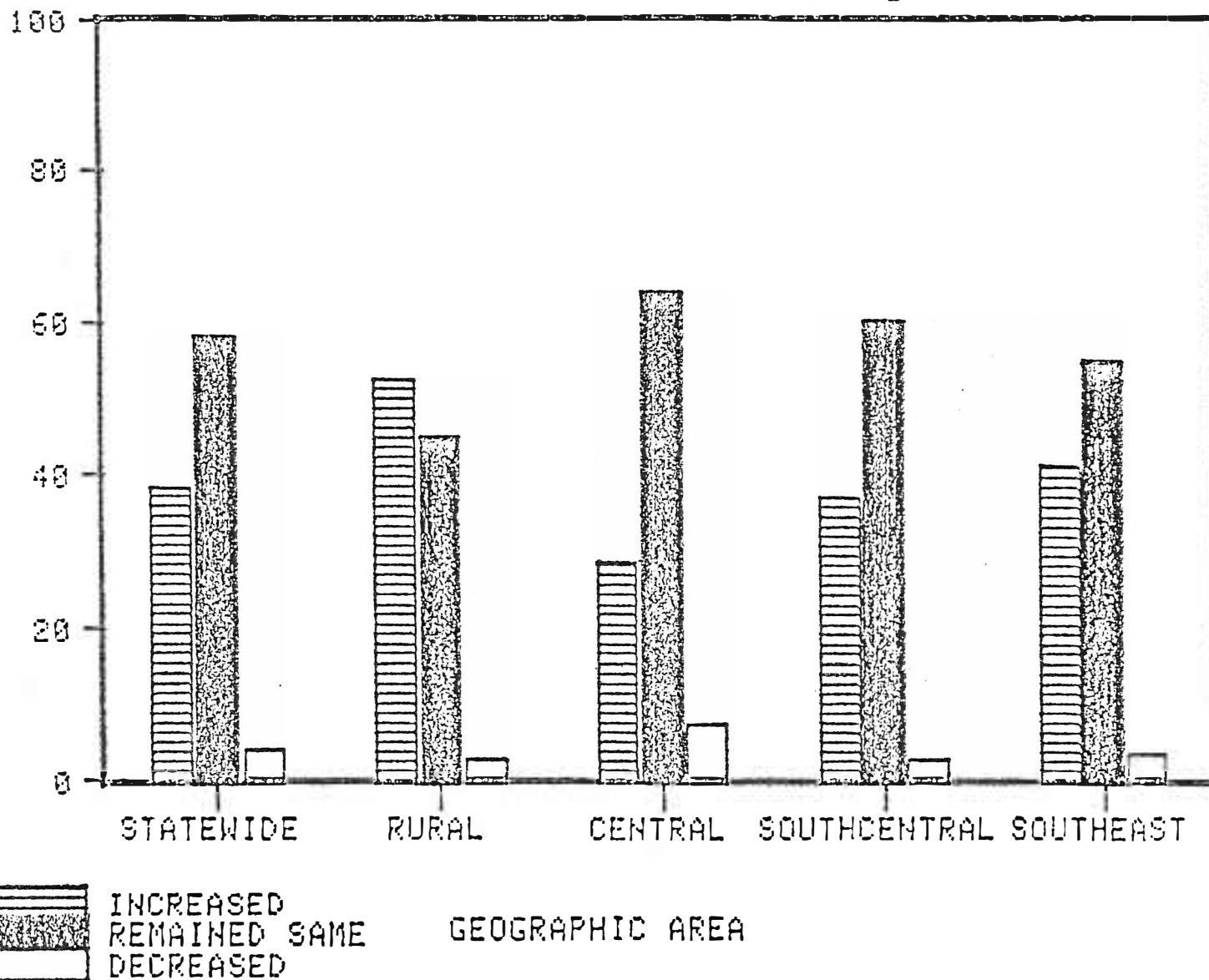


Figure 1

PERCEPTION OF NEIGHBORHOOD JUVENILE DELINQUENCY

(Tektronix 4051 -- Data Graphing)

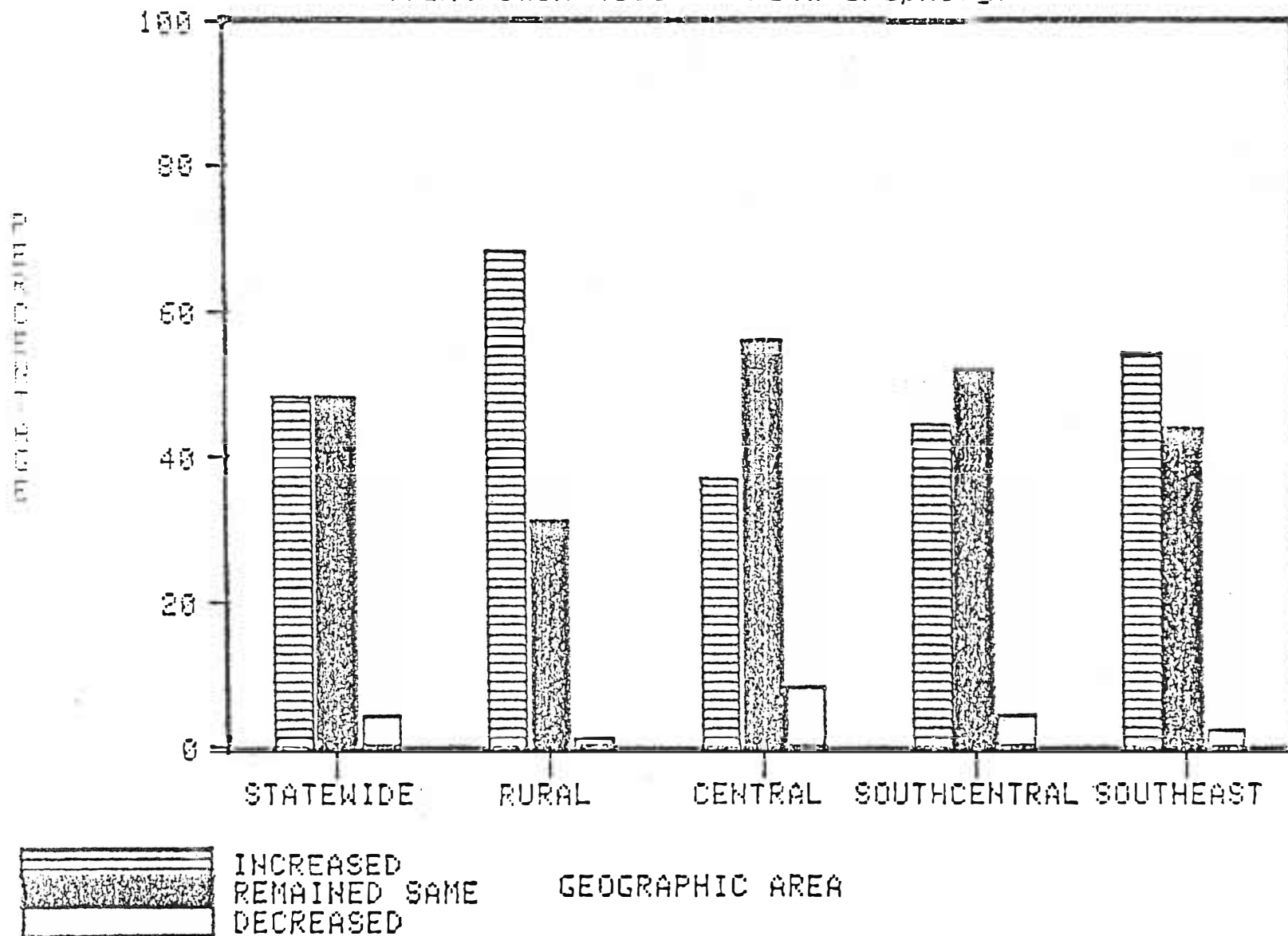


Figure 2

PERCEPTION OF STATEWIDE CRIME
(Tektronix 4051 -- Data Graphing)

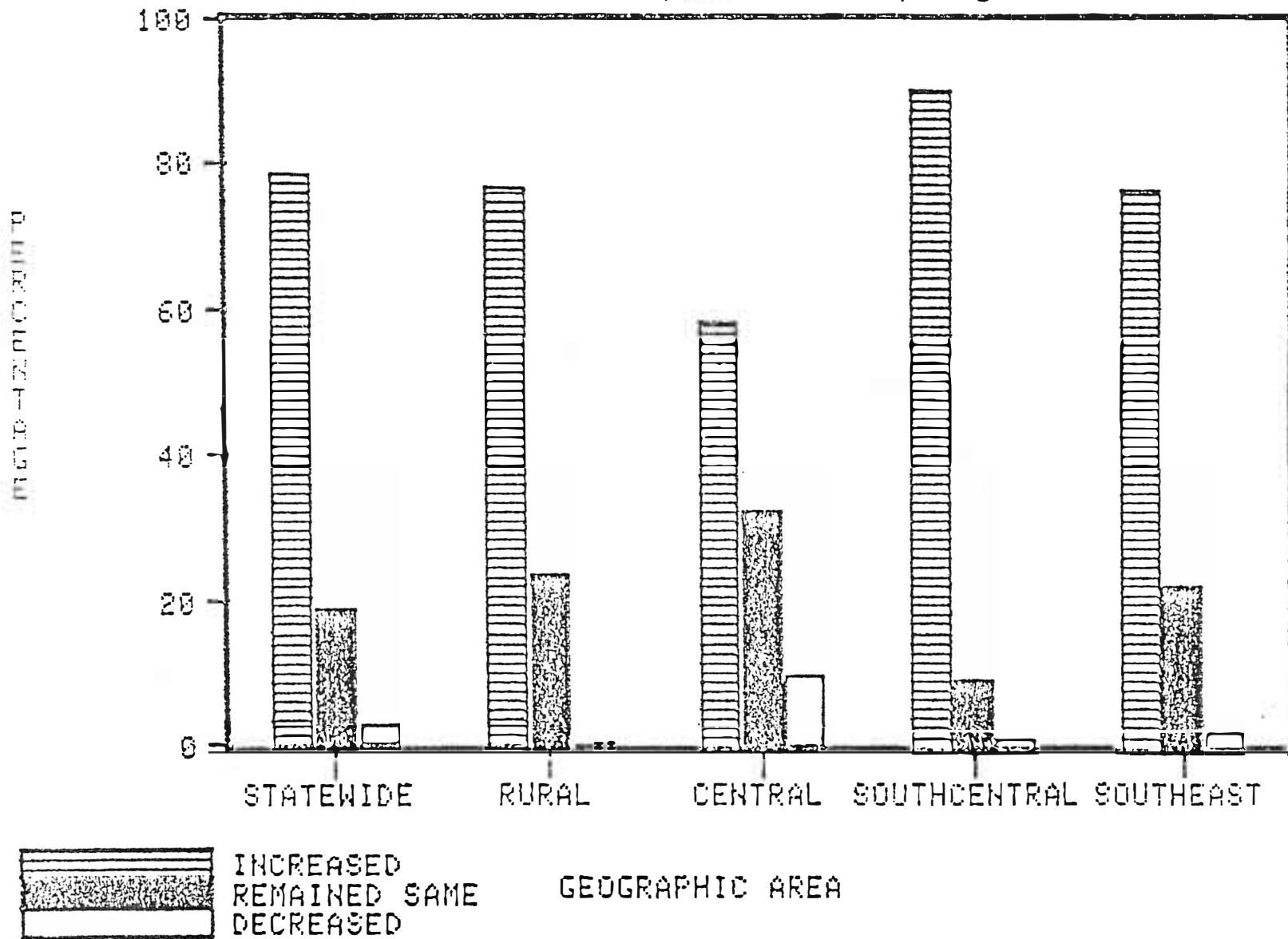


Figure 3

PERCEPTION OF COMMUNITY CRIME AS COMPARED TO POPULATION GROWTH

(Tektronix 4051 -- Data Graphing)

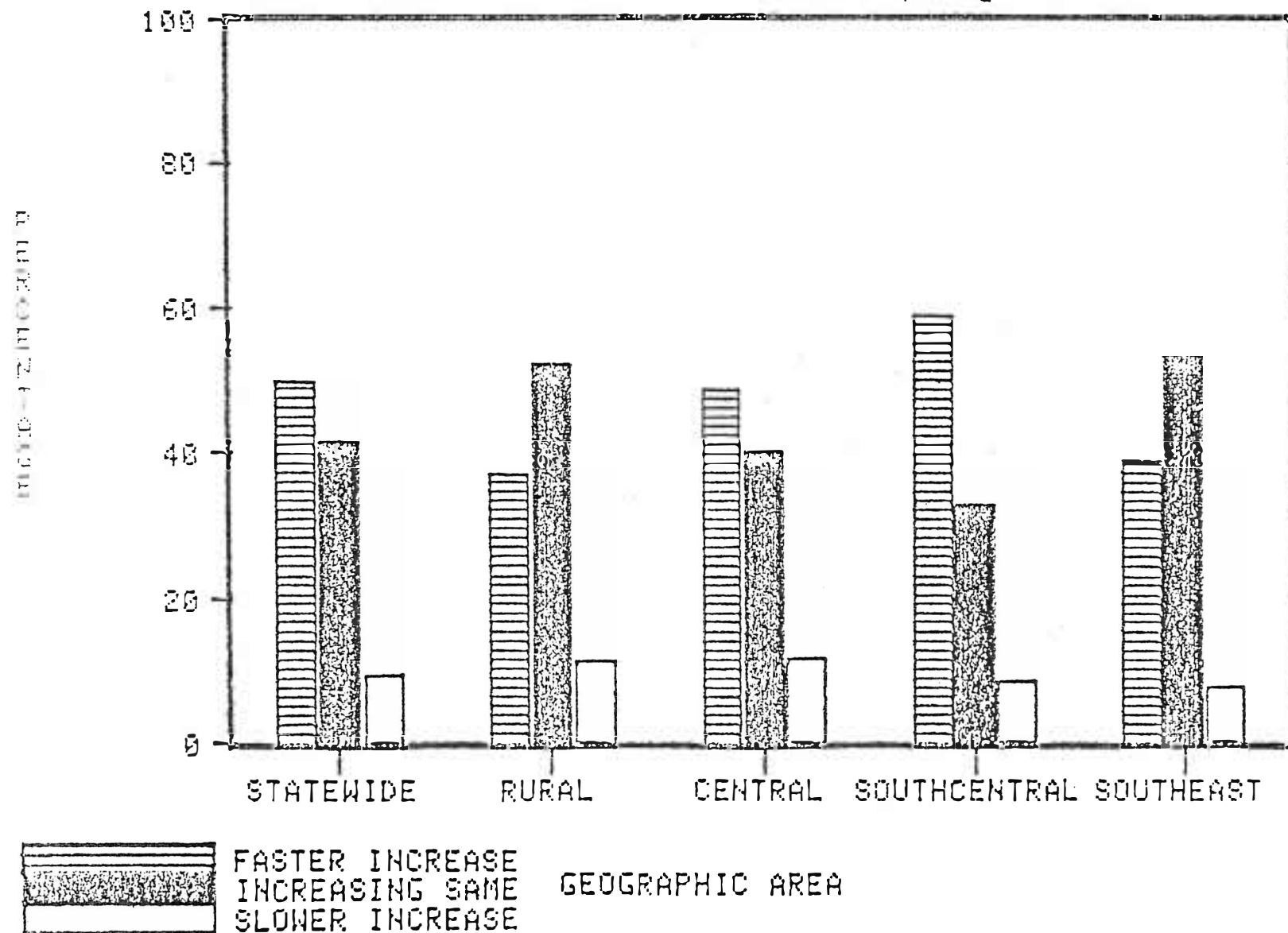


Figure 4

it is not surprising that a rising rate is the general perception even though in recent years the crime rate has leveled off as measured by reported crime statistics and victimization studies.

In interpreting the perception of rural crime "increase," the reader should be mindful, in particular, of the extent to which a high level of publicity has been given during the past year to high crime rates said to be associated with alcohol in many of the villages and small towns of northern and western Alaska. The "increase" may in part be the preliminary catching up of a data lag.^{2/} The image of a pastoral rural crime-free community does not stand up in Alaska and is subject to challenge elsewhere in the nation.^{3/}

1. Remoteness Heightens Perception of Increase.

In general, the perception of crime rates as rising varies directly with lack of immediate observation. In their neighborhood, 37% of the sample see crime as increasing, while a much larger proportion, 57%, see crime as stable. Moving from the neighborhood to the community, larger numbers see crime as on the increase: forty-seven percent (47%) see "community" crime growth and only 39% see the crime rate as stable. When the citizen is asked to look at the statewide picture, about which he could know only by media accounts, fully 76% see crime as on the increase

2/ See Alaskan Village Justice: An Exploratory Study, John E. Angell, Justice Center, University of Alaska, Anchorage, 1979.

3/ See for example Smith, Brent L. Criminal Victimization in Rural Areas; an analysis of victimization patterns and reporting trends. Ann Arbor, Mich. University Microfilms International 1980.

while only 18% see the crime rate as stable.^{4/}

2. Regional Differences

Statewide (Figures 1 and 2), a majority (57%) saw crime rates as stable over the past year, while equal numbers saw juvenile delinquency as stable (46%) and increasing (46%). In general, crime and juvenile delinquency were seen as following similar trends.

On a regional level, differences appeared in perceptions of neighborhood crime. The greatest stability of both crime and delinquency rates was seen in Central Alaska, followed by Southcentral and Southeast. Only in Rural Alaska did a greater number of respondents see crime as increasing (53%) than as remaining stable (45%) over the preceding year. Juvenile delinquency was seen on the increase by a majority in rural Alaska (68%)^{5/} and Southeast (54%), while a majority of those in Central and Southcentral felt that rates had remained the same (56% and 52% respectively).

Neighborhood crime rates (Figures 1 and 3) were seen as generally stable in all regions except rural Alaska. Statewide crime, however, was generally perceived as increasing (by 77% of the total sample and 77% of Rural, 58% of Central, 90% of Southcentral and 76% of Southeastern respondents. Twenty-one

4/ By way of comparison, the national perception of crime rate, aggregating "stability" and "decrease" in local "area" was as follows: 1967, 47%; 1970, 33%; 1973, 47%; 1975, 27% 1977, 39%. By way of comparison, in 1975, 84% of the public thought crime in the United States was increasing. Sourcebook of Criminal Justice Statistics 1987. United States Department of Justice, National Criminal Justice Information and Statistical Service, LEAA.

5/ Data from the 1970 census indicates that in rural Alaska 43% of the population was under age 18, as compared to 37% in urban areas. This difference does not seem great enough to account for perceived differences in juvenile delinquency.

percent of the total sample saw statewide crime as remaining stable or decreasing; regional differences varied from 10% in Southcentral to 42% in Central Alaska. Only in the Central region did an appreciable number (10%) see statewide crime as decreasing over the preceding year.

In all regions, there was a widespread perception that statewide crime is increasing more rapidly than is neighborhood crime, which indicates that most respondents see their own geographical areas as relatively safer than other parts of the state. This finding supports the supposition that media reporting plays a major role in establishing perceptions of the incidence of crime. This is particularly evident in Southcentral Alaska (dominated by Anchorage, where media coverage is greatest). Fully 90% of the Anchorage sample felt that statewide crime was on the increase, while only 37% perceived an increase in their own neighborhoods.

Taken as a whole (Figure 4), respondents were divided on community crime rates, with 47% seeing crime as increasing faster than population, while 39% saw them as increasing at the same rate. Again, there were regional differences: in the Central and Southcentral areas, respondents tended to feel that crime had increased faster than population (49% and 59% respectively). In rural Alaska and Southeast, on the other hand, crime and population were seen as increasing at the same rate.

3. Perceived Rates Compared to Reported Rates

There is no way to make a direct comparison of perceived and actual changes in crime occurrence rates. Some inferences are possible, however. Tables 1 and 1A are taken from Crime in Alaska, 1979 and show Part I reported crime rates (the most serious and most frequent crimes reported to police). Although geographical areas shown in the tables do not correspond exactly to those in the survey, they are roughly equivalent: Anchorage (South-central), Juneau (Southeast), and Fairbanks (Central).^{6/} Note that these tables show that reported crime rates decreased sharply in several areas in the period preceding the survey. However, this had no measurable correlation to the perception of crime rates.

6/ 84% of the Southcentral sample was located in Anchorage;
93% of the Central sample was in Fairbanks.

TABLE 1

Anchorage Police DepartmentCrime Trend Analysis1976 - 1980

Table 12

CRIME	1976 CRIME RATES	1977 CRIME RATES	1978 CRIME RATES	1979 CRIME RATES	Projected 1980 CRIME RATES	1979 - 1980 PROJECTED CHANGE
Violent Crime						
Criminal Homicide	18.1	10.9	14.2	9.1	7.2	-21%
Forcible Rape	87.9	89.1	97.5	92.5	97.3	+ 5%
Robbery	333.7	213.6	189.2	189.8	117.5	-38%
Aggravated Assault	392.8	219.1	175.8	128.0	19.5	-85%
Total Violent Crime	832.5	532.7	476.7	419.4	241.5	-42%
Property Crime						
Burglary	1,991.6	1,863.6	1,826.6	1,420.4	1,337.9	- 6%
Larceny-Theft	7,810.8	5,960.0	5,696.7	4,211.3	3,154.2	-25%
Motor Vehicle Theft	1,414.5	1,129.1	927.5	634.9	390.9	-38%
Total Property Crime	11,216.9	8,852.7	8,450.8	6,266.1	4,883.0	-22%
TOTAL PART I CRIME	12,049.4	9,385.4	8,927.5	6,685.5	5,124.5	-23%

Populations used in computation: 1976 - 83,429
 1977 - 112,956
 1978 - 120,348
 1979 - 105,893

FAIRBANKS POLICE DEPARTMENTCrime Trend Analysis1976 - 1980

Table 13

CRIME	1976 CRIME RATES	1977 CRIME RATES	1978 CRIME RATES	1979 CRIME RATES	Projected 1980 CRIME RATES	1979 - 1980 PROJECTED CHANGE
Violent Crime						
Criminal Homicide	6.1	5.4	12.8	19.1	22.4	+ 17%
Forcible Rape	48.5	45.9	38.5	54.7	49.7	- 9%
Robbery	290.9	124.3	105.1	76.5	- 16.4	-100%
Aggravated Assault	451.5	248.7	202.5	163.9	39.4	- 70%
Total Violent Crime	797.0	424.3	358.9	314.2	95.1	- 79%
Property Crime						
Burglary	1,275.8	889.2	859.0	907.1	698.7	- 23%
Larceny-Theft	5,933.3	3,983.8	3,841.0	4,262.3	3,216.2	- 25%
Motor Vehicle Theft	1,754.5	1,194.6	794.9	699.5	219.7	- 69%
Total Property Crime	8,963.6	6,067.6	5,494.9	5,868.9	4,134.6	- 30%
TOTAL PART I CRIME	9,760.6	6,491.9	5,853.8	6,183.1	4,229.7	- 32%

Populations used in computation: 1976 - 32,975
 1977 - 36,874
 1978 - 39,287
 1979 - 36,562

TABLE 1A

JUNEAU POLICE DEPARTMENT
Crime Trend Analysis

1976 - 1980

Table 14

CRIME	1976 CRIME RATES	1977 CRIME RATES	1978 CRIME RATES	1979 CRIME RATES	Projected 1980 CRIME RATES	1979 - 1980 PROJECTED CHANGE
Violent Crime						
Criminal Homicide	0.0	0.0	22.2	44.4	55.5	+25%
Forcible Rape	55.6	55.5	44.5	66.7	61.1	- 8%
Robbery	33.3	155.5	111.1	44.4	83.3	+88%
Aggravated Assault	1,244.4	588.9	288.9	444.5	33.2	-100%
Total Violent Crime	1,333.3	799.9	466.7	600.0	166.7	-72%
Property Crime						
Burglary	2,077.8	2,088.9	1,633.3	1,555.5	1,333.3	-14%
Larceny-Theft	5,433.3	4,344.4	4,700.0	4,666.7	4,300.0	-13%
Motor Vehicle Theft	1,066.7	577.9	988.9	766.7	727.8	- 5%
Total Property Crime	8,577.8	7,011.2	7,322.2	6,988.9	6,361.1	- 9%
TOTAL PART I CRIME	9,911.1	7,811.1	7,788.9	7,588.9	6,527.8	-14%

Populations used in computation: 1976 - 8,681
 1977 - 9,122
 1978 - 9,080
 1979 - 9,039

KETCHIKAN POLICE DEPARTMENT
Crime Trend Analysis

1976 - 1980

Table 15

CRIME	1976 CRIME RATES	1977 CRIME RATES	1978 CRIME RATES	1979 CRIME RATES	Projected 1980 CRIME RATES	1979 - 1980 PROJECTED CHANGE
Violent Crime						
Criminal Homicide	12.5	0.0	12.5	0.0	0.0	0%
Forcible Rape	37.5	42.8	162.5	122.2	184.7	+51%
Robbery	100.0	42.8	100.0	122.2	122.2	0%
Aggravated Assault	650.0	928.7	762.5	966.7	1,022.9	+ 6%
Total Violent Crime	800.0	1,014.3	1,037.5	1,211.1	1,329.8	+10%
Property Crime						
Burglary	1,937.5	2,442.8	2,850.0	1,933.3	2,389.6	+24%
Larceny-Theft	6,712.5	8,714.3	8,687.5	6,233.3	7,220.8	+16%
Motor Vehicle Theft	1,450.0	1,285.7	1,212.5	1,088.9	970.1	-11%
Total Property Crime	10,100.0	12,442.8	12,750.0	9,255.5	10,580.5	+14%
TOTAL PART I CRIME	10,900.0	13,457.1	13,787.5	10,466.6	11,910.3	+14%

Populations used in computation: 1976 - 7,600
 1977 - 7,770
 1978 - 8,200
 1979 - 8,923

These figures suggest that, at least in the short run, changes in reported crime rates are not publicly perceived. Sixty-three percent of Anchorage respondents felt that crime in their own neighborhoods was remaining stable or decreasing while fully 90% of Anchorage respondents saw an increase in crime for the state as a whole. Only 7% of Fairbanks respondents, however, perceived a decrease in neighborhood crime; 29% perceived an increase in their own neighborhoods, while a majority, 58%, perceived statewide crime as increasing. Our conclusion is that, in current circumstances of public awareness, the perception of aggregated crime rates will vary independently of reported crime rates. Both indicators are primarily influenced by factors other than criminal events. This does not mean, of course, that in an extreme case, a correlation will not show. Perception indicators at the state level are a matter of political significance though they should be measured against other citizen concerns. At the local level, concern over crime is an element in the quality of life.

2. PERCEPTIONS OF PERSONAL SAFETY

The questionnaire also addressed the question of personal perception of safety (qu 88-96)^{7/} with respect to location and time.

As indicated by Table 2 (next page), Alaskans are not ridden by fear or crime. Considering the general distribution of paranoid tendencies in the community, there are no circumstances under which some people are not going to be fearful. About one or two people out of every hundred tend to worry about crime under virtually any set of circumstances. Evening brings with it a

7/ Appendix 2, p vi.

TABLE 2A

PERCEPTIONS OF SAFETY

Table 2A shows responses while Table 2B combines categories of "very" and "somewhat worried" as against "not worried" and "never thought about it."

2A.	No Answer		Very Worried		Somewhat Worried		Not Worried		Never Thought About it	
	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%
At home during day	3	0.4	5	0.7	51	7.5	443	65.5	169	25.0
At home during evening	3	0.4	21	3.1	161	23.8	405	59.9	86	12.7
Neighborhood street during day	3	0.4	7	1.0	33	4.9	513	75.9	120	17.8
Neighborhood street during evening	5	0.7	31	4.6	197	29.1	383	56.7	60	8.9
Business street during day	9	1.3	10	1.5	96	14.2	472	69.8	89	13.2
Business area during evening	5	0.7	92	13.6	303	44.8	225	33.3	51	7.5
On the job	24	3.6	7	1.0	67	9.9	456	67.5	122	18.0
Hiking in woods	9	1.3	33	4.9	193	28.6	333	49.3	107	15.8
Camping, fishing, hunting	10	1.5	30	4.4	200	29.6	336	49.7	99	14.6

TABLE 2B

	Worried	Not Worried
Neighborhood street during day	6%	94%
At home during day	8	91
On the job	11	86
Business street during day	16	83
At home during evening	27	73
Neighborhood street during evening	34	66
Hiking in woods	33	65
Camping, fishing, hunting	34	64
Business area during evening	58	41

deterioration of the climate of safety.^{8/} One person out of four is at least "a little" worried even at home during the evening, three times as concerned as in the daytime. A person is more than three times as likely to have at least some worry in a business area at night (58%), as against the day (16%).^{9/}

With over half of the population at least "somewhat worried" about being downtown at night, this must have some impact on the willingness to use dining, retailing or entertainment facilities, in the evening. If downtown areas are in fact safe, there is reason to consider strategies to encourage a more realistic appraisal by the public to avoid burdening downtown areas with a needless economic disadvantage.

Approximately a third of the population has some worry concerning hiking in the woods (33.5%) and in activities involving camping, fishing or hunting (34%). Though the questionnaire did not differentiate between fear of person and fear of animals, there were independent indications, via comments, etc., that the high level of concern here is more attributable to fear of animals than people. Since hiking, camping, etc., are activities undertaken voluntarily by virtually all Alaskans, this question also tends to support the proposition that few Alaskans are strongly motivated by fear.

8/ One might ask whether Alaskans feel generally less safe in the winter months when darkness prevails.

9/ By way of comparison, in 1975, LEAA polled 13 selected cities including Chicago, Dallas, Los Angeles on perception of personal safety. The findings on degrees of "worried" or sense of "unsafety" are aggregated. In comparison, Alaskans certainly feel safer.

	Alaska %	13 cities %
neighborhood day	5.9	11
neighborhood night/evening	33.7	46

Derived from Sourcebook of Criminal Justice Statistics, 1978.

3. OWNERSHIP OF GUNS

Another indicator of crime worry levels is the response to the question "Does your household have a gun which was bought only to protect yourself or your family?"^{10/} In 1976,^{11/} 36% of those interviewed answered yes to this question. In the current study only 21.3% reported possession of weapons for this purpose, 14.6% of which were handguns, 55% rifles or shotguns.^{12/} It is unlikely that the actual ownership of guns has decreased so sharply in the intervening three years. What has possibly changed is people's perception of the reason why they own such a gun.^{13/}

10/ Q 35, Appendix II, p ii.

11/ Public Opinion about Crime and Criminal Justice in Alaska 1976, Criminal Justice Planning Agency (Rowan).

12/ By way of comparison, in 1975, 18% of American homes reported ownership of a handgun (Gallup), 55% of the public reporting possession of guns said they did so to "protect self and home" (Harris) as cited in Sourcebook of Criminal Justice Statistics 1978.

13/ But fear of criminal victimization may not encourage handgun ownership according to a survey of 1818 men conducted by a California researcher which showed no correlation between fear of crime and handgun ownership. DeFronzo, James "Fear of Crime and Handgun Ownership" Criminology 1979.

4. VICTIMIZATION

The perception of burglary is up. The Aggregate of perceptions of victimization of some kind is up slightly. Otherwise we can draw few conclusions regarding change in the pattern of Alaskan crime as evidenced by victimization reports.

In both 1976^{14/} and 1980, surveys attempted to measure victimization by listing a number of crimes and asking residents to indicate whether a member of their household had been a victim of each crime during the year preceding the survey, whether the crime had been reported to the police and if not, why.

Table 3 shows percentage of households victimized by each type of crime, and shows data from both the 1976 and 1980 surveys.

Table 3

Percent of Households Victimized

<u>Offense</u>	<u>Percent of Households</u>	
	<u>1976</u>	<u>1980</u>
Murder	0.2	0.7
Rape	2	2
Robbery	6	3
Assault	5	7
Burglary	6	15
Vehicle theft	5	6
Forgery/Fraud	2	3
Vandalism (1976)	16	
Destruction of Property (1980)		19
Petty theft (under \$200)	14	17
Grant theft (over \$200)	5	7

14/ Throughout this report, references made comparing answers of different years refer to either the 1976 survey conducted for the Criminal Justice Planning Agency by Rowan and Associates or the 1977 study conducted for the Agency by Dittman Research. Comparisons could not be made across the board because of significant differences in survey design among the three projects.

Considerable caution is due in extrapolating from these reports to actual crime rates. Since a reporting error as high as 2% would not be surprising, percentage reports of just a few percent in particular, should not be taken as reflecting actual incidence. A sample of thousands would be necessary to show the actual frequency of crimes such as homicide which are experienced by a very small percentage of the population.^{15/}

Victimization rates for each crime were very similar in the two surveys with the exception of burglary, where the rate more than doubled.^{16/} Overall, there was a slight increase in reported victimization.

Rates of reporting crimes to the police were very similar in the two studies, with 62% reported in 1976, and 63% in 1980.

Table 4 shows reasons given for not reporting crimes.

-
- 15/ Like police reports, victimization studies have their own vagaries. Some households were victimized more than once. A single incident could have given rise to several types of crime. Since the questionnaire did not tightly control the "member of household" definition, we do not know whether some of these reports involved visitors. Respondents are left to their own definition of crime. Accordingly, some caution is due in extrapolating these responses to propose real, per capita crime rates. Do people forget certain types of burglaries? Do people exaggerate (e.g., a missing ring must have been lost through "burglary") or pull more remote incidents into the time period? We offer no adjustment, but all these possibilities are certainly real in some cases.
- 16/ Compare reported crime rates on burglary at Tables 1 - 1A supra which show a decrease. This may be explained in part by the rise in non-reporting for "petty" crime shown by Table 4 [next following] but, in general, we do not look for close correlations in victimization rates and reported offenses.

TABLE 4
Reasons for Not Reporting Crimes

<u>Reason</u>	<u>Percent of Unreported Crime</u>		
	<u>1976</u>	<u>8</u>	<u>1980</u>
Insufficient Proof	30%		28%
Petty crime; Not important	15		25
Police can't do anything	18		15
Personal problem	12		12
Police won't do anything	6		7
Other	10		6
Fear of criminal getting even	6		4
Don't know who to report to	2		2
Police not available	1		0

The only significant change between the two surveys was in the category "Petty crime; not important," which rose from 15% to 25%. Possible explanations include an increasing tolerance for petty crime, or the result of inflation decreasing the perceived value of stolen property (although inflation would also increase the cost of replacing a stolen item).

5. FAMILY VIOLENCE

Another type of victimization, that of family violence, was separately addressed in the 1980 survey. Respondents were asked whether they had personal knowledge of several types of family violence in the community, whether the violent act had been reported, and reasons for not reporting. Table 5 shows percent of respondents reporting each type of violence, and percent of each which were reported by the respondent.

TABLE 5

Event	Know About						Reported					
	Yes		No		No Answ		Yes		* No		No Answ	
	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%
Husband Beating Wife	127	18.8	518	76.6	30	4.4	47	37.0	76	59.8	4	3.2
Wife beating Husband	32	4.7	606	89.6	37	5.5	17	50.0	17	50.0	0	0.0
Father beating Child	66	9.8	574	84.9	35	5.2	30	44.8	37	55.2	0	0.0
Mother beating Child	57	8.4	582	86.1	36	5.3	28	47.5	31	52.5	0	0.0
Relative beating Child	26	3.8	610	90.2	40	5.9	13	44.8	16	55.2	0	0.0
Child beating Father	18	2.7	618	91.4	40	5.9	8	34.8	15	65.2	0	0.0
Child beating Mother	17	2.5	616	91.1	41	6.1	7	31.8	15	68.2	0	0.0

* Overreported - See paragraph following

It would appear that about ten percent (10%) of the whole sample of respondents and seventeen percent (17%) of those who indicated that the incident was reported decided that if they didn't know about any domestic violence incident, they should also indicate that they didn't report one, thus the number and proportion of incidents occurring and not reported is exaggerated by a factor we estimate at 17%. We use the number responding to the next question, "reasons not reported," as the probable actual number who knew of an unreported incident.

Since the question deals with notoriety in the community, the extent of domestic violence and relationships between types of violence can only be suggestive. With that in mind, it is still of some interest that the identity of victims and perpetrators reflects these approximate ratios:

	husband	wife	child
likely perpetrator	53%	31%	16%
likely victim	14	43	43

Table 6 shows reasons given for not reporting family violence.

Table 6
Reasons for Not Reporting

Reason	Frequency	Percent
Nobody else's business	54	32%
Don't know who to report to	27	16
Police couldn't do anything	69	40
Fear of reprisal	21	12
	171	

Reasons for not reporting intra-family violence show an interesting difference from the data for reporting other crimes; only 15% of the 1979 sample indicated that crimes were not reported because "Police can't do anything," while 40% of family violence went unreported for the same reason. This suggests that a priority should be given to the support of specialized family violence intervention capacity and that adequate public information should be disseminated on its availability.

Because of the wording of the question ("please indicate if you have personal knowledge of the event having occurred in your community. . ."), it is possible that more than one respondent may have been reporting the same event. Thus these percentages are likely to err on the high side as an indication of the number of intra-family assaults, with more notorious events more likely to inflate reporting. On the other hand, a major factor tending to decrease this reporting is that many incidents of this type are known only to the family. Accordingly, this data provides only a rough indicator of the actual incidence of family violence.

The survey's victimization responses reveal that 6.8% of

households experienced an assault during the preceding year. Of these, 45.6% were officially reported. Presumably there is a heavy overlap between assault reports and family violence reports. ^{17/}

6. CONCLUSION

Overall, while some comparisons are difficult due to changes in the language of the several questions bearing on this subject, Alaskans appear to feel as safe or safer in 1980 as they did in 1976.

17/ A National Crime Survey analysis found that 21% of attempted or completed violent incidents happened between friends and/or relatives. "Intimate Victims: A Study of Violence Among Friends and Relatives," National Criminal Justice Reference Service, Rockville, Maryland. In the smaller and more isolated Alaskan communities surely all but a small number of assaults would fall into this category.

PART II

Images of the System Professional

Several sections of the survey dealt with how the public felt about professionals in the criminal justice system. Questions were asked about job performance,^{18/} the desirability and availability of discretion in job performance^{19/} and the anticipation of racial bias in performance.^{20/} Another set of questions asked the respondents what they would like to see by way of minimum educational requirements for justice professionals.^{21/}

18/ Table 7.

19/ Ques 37 - 46

20/ Ques 76 - 80

21/ Ques 81 - 87, Table 8 at p 38.

1. PERCEPTION OF PROFESSIONAL SKILLS BY CATEGORY

The status of the employees of each sector of the justice system is locked in by the roles that are assigned to that sector and the image which the role has in the general society. For the largest part of the population, contact with justice role models via TV and movies is much more regular and more extensive than contact in life experiences. Accordingly, data relating to the perceptions of the public as to the professional skills associated with each sector should not be considered as a reflection of actual skills of personnel in a justice system.

Excepting extraordinary circumstances (such as a long and bitter strike or a major incident such as a riot or scandal), the role allotment of corrections personnel will be near the bottom^{22/} and police and firemen near the top anywhere in the country.

This year, the survey has attempted to gather data on a broader spectrum of justice system roles than in the past. New questions concerning firemen and public defenders have been added to old questions about police and judges to establish a basis for longitudinal studies, testing the perceptions of a larger number^{23/} of roles by the public over a period of time.

Respondents were asked how they would "personally rate the professional skills" of a variety of justice personnel. Responses,

22/ The heroic police officer and the sadistic prison guard have long been entertainment staples.

23/ Slight changes in nomenclature, in an attempt to improve clarity of response to the poll, have made some of this longitudinal comparison difficult. In 1976, for instance, the public was asked only to distinguish between poor and good performance, whereas in 1979-80 the breakdown ran from very poor to poor to fair to good to very good. There is no way of telling with precision which way the "fair" scores would have gone in the earlier study.

which could range from "very good" to "very poor," are shown in Table 7.

Table 7
Perception of Professional Skills of Justice Personnel
(in percent)

Position	Very Poor	Poor	Fair	Good	Very Good	No Answer
Local Police	7	11	32	37	10	4
Firemen	1	2	12	47	33	4
District Attorneys	7	10	42	29	3	9
Judges	10	14	36	28	5	8
State Troopers	2	4	22	46	20	6
Fish and Wildlife Officers	5	9	32	37	10	8
Probation Parole Officers	6	9	43	25	3	14
State Jail Guards	4	14	40	24	2	16
Public Defenders	6	12	40	27	3	12
Youth Counselors	6	16	39	25	2	13
Social Service Workers	10	16	37	24	4	11

Firemen, who were added to the survey list of system professionals this year, were universally rated the person having the highest professional skills ^{24/} (4.13 median). Youth counselors (2.9m) and social service workers (2.89m) ranked the lowest. Since youth counselors and social workers are likely to have significantly higher educational training levels than firemen, this answer is not so much a judgment of skills in relation to the reality of performance but the gap between real and ideal expectations. The fire is always put out, eventually, whereas social services in the juvenile area or elsewhere apply bandages to our social ills that only occasionally arrest the festering problem

24/ See Table 7 for ratings. In the text, for comparative basis, we have used a scale of 1 - 5 (very poor to very good).

beneath. Similarly the efforts of uniformed firemen and the police are highly visible. Whether or not they save the building or get their man, their efforts can be seen and appreciated. The work of social workers, correctional officers, etc., is visible only to the immediately impacted person.

After firemen, the Alaska State Troopers come next in this skills popularity scale followed by local police and Fish and Wildlife officers followed by court professionals, and corrections officials.^{25/} One might suppose that these rank orderings prevail generally in the country. Alaskans' views of their law enforcement personnel tend to be generally high. Only 6% gave the troopers a poor or very poor rating; 17.3% gave such ratings to local police.^{26/}

Attitudes to court professional roles vary according to (possibly) the degree to which they are seen as favoring prosecutorial objectives. District attorneys outrank judges who outrank public defenders.

Within the corrections field, it perhaps goes without saying that jail guards rank below probation and parole officers.

The implications of these role perceptions for the system have much to do with personnel recruitment problems (in the case of corrections) and pose obstacles to successful performance. The "image" of corrections is a major barrier to performance in a number of areas of concern.

2. PERCEPTIONS OF PROFESSIONALISM: CHANGE OVER TIME

Within these general categories, we may make some rough

25/ Table 7.

26/ By way of comparison the job rating of "local level law enforcement officials" was rated in a national poll in 1977 52% positive 46% negative. Harris Survey cited in Sourcebook of Criminal Justice Statistics 1978.

judgments about changes in perception, where data is available, from 1976 through 1980.

While the 1976 survey results are not directly comparable, by reason of differences in survey questionnaire technique, they do suggest that there will be a certain amount of swing from year to year in these images.

Though outright dissatisfaction (poor or very poor ratings) has remained at low levels during both 1977 and 1980 testing periods (about 15% local police and 5% state police), there was some decline in the perception of the numbers in both police categories from the "very good" to "good" and from "good" to "fair".^{27/} Since this trend is reflected in both local police and trooper categories, it is not likely that this reflects a perception of any real change in management or actual performance. More likely media or other background attitudes^{28/} created a more favorable climate for strongly positive views toward law enforcement functions in 1977 than in 1980.

Judges and district attorneys, too, appear to have suffered a small decline in popularity (translated from perception of professional skill), though the 1980 survey might have reflected a decline of popularity of justice system services across the board.

^{27/} Future survey authors may pause before using this classification term again to test perceptions of justice personnel considering the alternative meaning of this word.

^{28/} One might suspect also that police have simply shared in the increase in public disgruntlement with all public officials.

Good news is at hand in the historic ratings, however, for corrections system personnel. Overwhelming dissatisfaction with parole "professionalism" (read "services") in 1976 has yielded to a generally fair to good perception in 1980. In 1980, 70.5% rate probation/parole professionalism as fair or better while in 1976, 61% rated the services as "poor". State jailers, likewise, have seen an improvement in the public's perception of their professional skills. In 1976, 69% rated them as "poor". In 1977, 35% was their services as poor or very poor while by 1980 only 17.9% saw their services as "poor" or "very poor." Readers with some background in Alaska may recall notorious reports regarding jail security, crimes by escapees and expressions of dissatisfaction by political and justice leaders in those earlier years which would help to account for the low public regard at that time for jail personnel professionalism.

Overall, it would appear that the public has moved towards a more balanced view of performance perceptions of justice system personnel, the revival of confidence in corrections being the most notable change.

3. PERCEPTIONS OF NECESSARY EDUCATIONAL QUALIFICATIONS FOR JUSTICE PROFESSIONALS

Although the weight of research opinion is that education will usually tend to improve performance in the justice professions, in the field this proposition is still controversial, particularly in police work. Public opinion is of some significance here in assessing first, the willingness of the public to provide resources

for educational support in the justice area and secondly, as an indicator of probable attitudes towards professionals. Professionals who are perceived as being underqualified may find their credibility discounted individually and collectively.

We live in an education oriented society. Those roles in the justice profession which are suffering from image problems may have an opportunity to improve their status by increasing professionalism through educational qualification.^{29/}

Respondents were asked to indicate the "minimum level of education which should be required" for people employed in a variety of justice positions. Responses are shown in Table 8.

Only in the case of the prison guard does a clear majority (59%) feel satisfied with a high school degree as an entry qualification. But this opinion appears to be associated with a low regard for the professional skill of this class of employees. That still leaves a large proportion of the general population that believes that a prison guard should have educational qualification beyond high school. From the perspective of assuring a satisfactory

29/ But note that probation and parole officers usually rank quite high in educational qualification in fact but significantly lower in perception of professionalism and in fact possible prestige. One might speculate that there is a distortion here caused by value perspectives. The police officer's duty with respect to the offender is unambiguously approved. But since a significant proportion of the public is committed to a greater or lesser degree to punishment values ("getting tough with" the offender), probation and parole as "helping" activities may pose inherent conceptual conflicts.

TABLE 8

PERCEPTIONS OF NECESSARY EDUCATIONAL REQUIREMENTS

	Grammar School		High School		2 yrs College		College Degree		Post Graduate Degree		No Answer	
	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%	Freq	%
Police Officer	8	1.2	280	41.4	263	38.9	91	13.5	21	3.1	13	1.9
Detective	6	0.9	102	15.1	214	31.7	263	38.9	17	11.4	14	2.1
Police Supervisor	3	0.4	107	15.8	224	33.1	263	38.9	64	9.5	15	2.2
Police Executive	4	0.6	74	10.9	90	13.3	302	44.7	193	28.6	13	1.9
Prison Guard	25	3.7	373	55.2	199	29.4	47	7.0	18	2.7	14	2.1
Parole Officer	3	0.4	101	14.9	164	24.3	294	43.5	99	14.6	15	2.2
Magistrate	6	0.9	49	7.2	76	11.2	210	31.1	323	47.8	12	1.8

CUMULATIVE EDUCATIONAL REQUIREMENT

	High School or Better	Two Year College or Better	College Degree or Better
Police Officer	97%	56%	17%
Detective	97%	82%	50%
Police Supervisor	97%	82%	48%
Police Executive	97%	87%	73%
Prison Guard	94%	39%	10%
Parole Officer	97%	82%	58%
Magistrate	97%	90%	79%

	Grammar School	High School	2 yrs College	College Degree	Post Graduate Degree
Educational Level of Respondents	7%	22%	31%	13%	18%

relationship with the public; one should consider whether educational levels in the field should approach the expectations of a large proportion of the public, or just a bare majority.^{30/}

The police community should take note that a majority of the public believes that a patrol officer should have two years of college or better (56%) and that 82% of the public believes that a minimum of two years of college should be required for supervisory or specialty roles such as detective, sergeant or police executive. Seventy-three percent of the public believe that a captain or chief should have a college degree or graduate degree. About half of the public believes that a college degree or better should be required for sergeants or lieutenants. There is a clear message here for the large numbers of recruits who still enter the police field with a high school diploma with respect to the route to promotion.

While there has been some discussion in recent years concerning the value of using community elders and similar types of individuals to serve as magistrates or in lay judicial roles, the preference of the public is clearly for law-trained people for this employment (forty-eight percent (48%) of the public believe that magistrates should have post-graduate degrees, 79% being ready to settle for a baccalaureate or better). This is not just an urban preference. The rural respondents to the survey gave a plurality preference (40%)

30/ Educational levels can be seen as both a technical, job competency criterion, to be evaluated by the justice technical decision makers on a performance - need basis or as a public value issue. As Americans, on the average, become better educated overall, they may wish the police to become representatives of the middle or higher grounds of educational attainment whether or not education is specifically related to skill on the job.

to postgraduate degrees, followed closely by a four year degree (37.5%).

Despite the public's problems with the parole function earlier noted, still 58% of the public want parole officers to have college degrees or better.

There may be some tilting on this response in favor of higher educational qualifications resulting from the relatively high levels of educational self-attainment reported by respondents.^{31/} Whatever discounting might be appropriate should be considered against the greater political leadership weight of the better educated, however.

Thus, notwithstanding the continuing debate in the field about the amounts and type of education, the public perception of field needs clearly tilts towards higher educational qualifications than current minimums and (at minimum) the public is not so clearly wrong that these views should be discounted.

4. PERCEPTIONS OF DISCRETIONARY JUDGMENT OF SYSTEM PROFESSIONALS

The justice system involves the processing of an accused citizen through a series of discretionary checkpoints including: decision to arrest, to charge, to dismiss or reduce charges, to sentence, to revoke parole or probation, and to release on parole. A test of public opinion on attitudes toward the extent of discretion at each point of judgment might give some indication of public acceptance of programs involving an expansion or restriction on discretion at one point or another within the system. Respondents

31/ At the time of this report, the authors had no current data on statewide educational attainment levels, but this is certainly a better educated Alaskan than was revealed in the 1970 census.

were provided a list of professional roles and asked, "Do you think that the amount of freedom these employees have to make important decisions by themselves, such as arresting someone, is about right, too much, or too little?"

Table 9 shows responses.

No substantial majority emerges from this set of questions demanding a change from the status quo in one direction or the other for any of these points of decision.

Considering the outcry concerning excessive judicial discretion in sentencing which supported recent changes in sentencing law to restrict that discretion, it is perhaps surprising that no more than a third of the public (32%) is interested in restricting that discretion.

Close to half of the public think DA's have too much discretion to dismiss charges (44%) or reduce them (48%). This suggests that case screening and plea negotiation guidelines developed by the Department of Law would be well received and the fact that such guidelines exist should be publicized.

This data might also be interpreted in light of the answer to a further question whether plea bargaining was on the increase.^{32/} Ironically, considering one of the major innovations in the justice system over the past several years has been a reduction in sentence bargaining, more people thought that sentence bargaining was on the increase (40%) than on the decrease (15%)! More than twice as many people saw charge bargaining as increasing (38%), as decreasing

32/ Q 73-4, p iii.

TABLE 9

PERCEPTIONS OF DISCRETIONARY JUDGMENT

	Too Little		About Right		Too Much		No Answer	
	Freq	%	Freq	%	Freq	%	Freq	%
Police to Arrest	201	29.7	401	59.3	57	8.4	17	2.5
Police to decide which charge	138	20.4	404	59.8	106	15.7	28	4.1
Police to give traffic citation	66	9.8	482	71.3	108	16.0	20	3.0
Fish & Wildlife to arrest	120	17.8	355	52.5	151	22.3	50	7.4
DA to dismiss charge	44	6.5	294	43.5	297	43.9	41	6.1
DA to reduce charge	45	6.7	255	37.7	324	47.9	52	7.7
Judicial sentencing ^{1/} discretion	62	9.2	352	52.1	217	32.1	44	6.5
Probation Officer to revoke probation	117	17.3	359	53.1	134	19.8	65	9.6
Parole officer to revoke parole	112	16.6	353	52.2	142	21.0	68	10.1
Parole board to release from prison	43	6.4	327	48.4	246	36.4	60	8.9

1/ In a 1977 national study undertaken by the Yankelovich organization, 54% of the respondents thought judges should have limited power to vary the sentence, 28% a great deal of power and only 11% thought judges should be required to give the same sentence for the same crime regardless of circumstances. Sourcebook of Criminal Justice Statistics 1978, p 323.

(17%) while 33% saw it as constant. One can surmise from this data that either the public does not know what is going on in the area of plea bargaining or (more likely) that the very extensive publicity given to the abolition of plea bargaining stuck in the public's mind only to the extent that plea bargaining was identified as a major problem of the justice system.^{33/}

These survey results may be of some use to those now considering the shift to automatic parole determination. Forty-eight percent (48%) of the public believe that the parole board has about the right amount of discretion but fully 36% believe that it has too much. Since we are asking here for views on a technical issue, one might surmise that the "about right" votes in this category and the preceding are a little "soft" in that persons in this category are more likely to accept change if promoted by justice professionals from the controlling component.^{34/}

While the public seems to give general approval to current discretionary practices within criminal justice, there is some evidence for public approval of mandatory guidelines for charging, sentencing and parole decisions. On the other hand, it seems likely that this series of questions was too technical to elicit strongly felt responses, and that people tended to "go along with" the system as they understand it. Evidence of this is provided in the high

33/ This finding also serves as an example of the principle that public perception of a "fact" does not make a fact. Polling on information which is factual in nature is simply giving the public a chance to guess. On the other hand, the values of the public or what the public thinks about a fact is a fact.

34/ By way of further comparison, 6.4% believe the parole board has too little discretion. While we have no way of telling, one wonders who holds the unconventional views? Is it people with extra knowledge? Less knowledge?

level of "no answers" to these items, which reached as high as 10% in the area of parole decision-making.

5. PERCEPTIONS OF DISCRIMINATORY PRACTICES BY JUSTICE PROFESSIONALS

Because of the widespread furor over the possibility or the actuality of discrimination in the criminal justice system based on race, a number of questions were asked in an attempt to get at public attitudes or perceptions of discrimination issues.

The data suggest that the public perception of discrimination poses a very serious problem for the justice system which needs to be faced through public education addressing misconceptions as well as by changes in practices, procedures, and training within the justice system.^{35/}

This survey attempted to measure public opinions about discrimination through a series of four questions, which are shown below with the number of respondents giving each answer.

In your own personal opinion, when judges in Alaska are sentencing defendants in criminal cases, do you feel they assign more lenient sentences to minorities, more harsh sentences to minorities or do not consider race when sentencing defendants?

more lenient for minorities. . . .	32%
more harsh for minorities. . . .	19%
do not consider.	43%
No Answer.	5%

In your own personal opinion, do you feel a police officer in Alaska would be more likely to stop a suspicious minority, a suspicious non-minority, or not consider race at all?

stop suspicious minority.43%
stop suspicious non-minority. . . .	5%
do not consider race.49%
No Answer	3%

35/ While the perceptions here noted represent a serious problem, by way of comparison, national polling data indicate that in 1973-4, 57% of the national public believed "the legal system favors the rich and powerful over everyone else." Sourcebook of Criminal Justice Statistics 1978, p 314; citing an ABA Foundation sponsored survey.

In your own personal opinion, do you feel a prosecutor would be more likely to prosecute a minority charged with a criminal offense, a non-minority charged with a criminal offense, or not consider race at all?

minority charged with offense. . . .	31%
non-minority charged with offense. . .	11%
not consider race.	54%
No Answer.	5%

In your own personal opinion, do you feel the Alaska Parole Board would be more likely to release a minority prisoner, a non-minority prisoner, or not consider race at all?

release a minority prisoner.	29%
release a non-minority prisoner. . . .	21%
not consider race.	43%
No Answer.	8%

Eighty percent of the survey sample was composed of Caucasians; 12% were Alaska Natives, 2% were Black, and 3% were from other minority groups. (Another 3% did not respond to this inquiry.)

Table 10 shows percentages of Caucasians and Minority group members responding to each question. (The minority group includes Eskimos, Indians, Aleuts, Blacks and "other," combined to produce numbers large enough to interpret.)

TABLE 10

CAUCASIAN AND MINORITY PERCEPTIONS OF DISCRIMINATION

	All*	Caucasian	Minorities
<u>SENTENCING</u>		(N=508)	(N=110)
Lower For Minorities	32	29	55
Higher For Minorities	19	22	10
Total Race Considered	51	51	65
Race Not Considered	43	49	32
<u>POLICE STOP</u>		(N=521)	(N=111)
Less Stops of Minorities	5	6	3
More Stops of Minorities	43	41	57
Total Race Considered	49	47	60
Race Not Considered	49	53	40
<u>PROSECUTION</u>		(N=515)	(N=110)
Prosecution Less Likely	11	12	81
Prosecution More Likely	31	29	47
Total Race Considered	42	41	55
Race Not Considered	54	56	43
<u>PAROLE</u>		(N=501)	(N=103)
Parole More Likely	30	27	42
Parole Less Likely	24	25	15
Total Race Considered	53	52	57
Race Not Considered	47	48	43

* These three columns are generally but not precisely comparable. The All column does not add to 100% since "no answers" are included in the calculation while "no answers" are excluded from the minority breakdown. However, this does not influence the comparative quality of the numbers more than one or two percent.

Considering the fundamental nature of the rule that justice should be color-blind and considering that all but a handful of justice professionals consider themselves free of racial bias in their operations, it is not a happy finding that about half the public believes that discretionary judgments in justice administration are influenced by race in judicial (51%), police (49%), prosecution (42%) and parole (54%). It does not brighten this picture greatly that a variable proportion of those answering think that the bias runs in favor of minorities.^{36/}

^{36/} There is every reason to suppose also that national attitudes are generally in keeping at least with the finding that as much or more than half the Alaska public believes the justice system to be racially biased. While localized situations may be subject to judgment based on localized scrutiny, few justice administrators fail to acknowledge racial bias as a major system problem. In assessing the significance of this data, it is also worth observing that in the most unbiased of systems there will always be some proportion of the citizens whose cynicism will lead them to perceive bias with or without evidence.

However, a national survey may help to put this finding in perspective.

In 1977 the Harris Survey^{37/} asked a national cross section:

Let me ask you about some specific areas of life in America. For each, tell me: if you think Blacks are discriminated against in that area or not. . . the protection they have against crime, the way treated by police, the way treated if arrested for a crime.

The response:

	Blacks dis- criminated against	Not dis- criminated against	Not Clear
Protection against crime			
Black respondents	61	31	8
White respondents	23	67	10
The way treated by police			
Black respondents	71	23	6
White respondents	28	60	12
The way treated if arrested for a crime			
Black respondents	69	23	8
White respondents	28	61	11

The Black portion of the Alaska sample was too small to draw any conclusions with respect to Black opinion in Alaska.

37/ Cited in Sourcebook of Criminal Justice Statistics 1978, p 309.

Perhaps the most surprising finding in this section of the survey is that more people think judges go easier on minorities (32%) than harsher (19%). This perception is not less but more strongly shared among the minority respondents (55% easier; 10% harsher). This finding stands in sharp contrast to the scientifically based findings of the Alaska Judicial Council during the mid-70's^{38/} that Superior Court judges (in aggregate) did discriminate in sentencing to the disadvantage of minorities. This study and those following it to the same effect have received considerable public attention. The most recent findings of the Council^{39/} are to the effect that the racial bias has disappeared as a result of higher sentences being meted out to Caucasians. However, this new information was unpublished at the time the survey was taken. It would be interesting to ask why respondents thought favorable discrimination in sentencing was the case. Is this a subliminal message being given somehow by the justice system itself or by the media? Does it reflect a projection of paternalistic racist attitudes in the fraction of the public so responding? What might be the effect of these perception variations on a jury panel drawn to determine the guilt or innocence of an individual accused? The Office of Administrator of Courts, with the Judicial Council, is

38/ Starting with "Sentencing in Alaska" a 1975 study of 1973 data, the Alaska Judicial Council has undertaken regular analysis of some aspects of Alaska sentencing practices including race correlations.

39/ Unpublished report. Possibly the perception regarding sentencing is a penumbral effect of the perception that the courts, more than most of our public institutions, are sensitive to minority rights on a broad spectrum of issues even when those minority rights are in conflict with majoritarian sentiment.

now regularly monitoring sentencing practices. Wide dissemination of this data may be helpful in dispelling the misperception (which it may be in this particular now) here identified.

In the case of a police stop, roughly the same proportion (49%) think race is a consideration in the decision but in this instance, regardless of the race of the respondent, the perception is that this bias runs against the minority member not for him.^{40/}

In the case of the prosecutor, a slightly larger proportion (54%) of the sample than is the case with other components of the justice system believe there is no bias arising from the racial identity of the defendant in its decision to prosecute. Those who perceive bias are still very likely to see it as being against minorities (29% to 12% Caucasian; 47% to 8% minority). In question 80 (Appendix II vi) the survey asked whether prosecution would be more likely if the victim were a minority. Forty-two percent saw the likelihood of bias, but here slightly more saw the bias being in favor of prosecution (25% to 17%).

Parole is also seen as a biased function by about half of those responding (53%). Caucasians are evenly split as to whether this discrimination favors Whites or minorities. Minorities see the bias as relatively favoring them (42% to 15%).

40/ Care should be taken to avoid invidious comparisons between components based on a test of reaction to non-comparable practices. A smaller proportion of the public is likely to be offended by higher stopping rates for minorities than by sentencing bias

6. CONCLUSIONS

While the public has moved towards a more balanced view of justice professionalism, there are substantial differences between the favorable images of police and firemen and of other professionals in the justice field. We hypothesize that, in part, this results from the public's sense of understanding of these roles based on national models or stereotypes.

The public would be receptive to actions imposing greater restrictions on the discretion of DA's and parole boards and expects a higher level of education among justice professionals than is now required by most minimum standards.

About half the public considers the justice system to be racially prejudiced in specifically identified discretionary decision points. The bias in the case of sentencing and parole is seen as favoring minorities. In the case of prosecution and police stop practices it is seen as favoring non-minorities.

We note in retrospect the utility of measuring the public's perception of discrimination based on economic circumstances, a form of discrimination which we hypothesize is seen by a substantial portion of the Alaskan public as endemic and invidious. (Compare Footnote 35.) In the absence of such a premising question or statement, our question does not adequately filter out respondents who believe, for example, that minorities are more likely to be prosecuted because they are poor or stopped because they look poor.

PART III
Changes in the Law

1. THE ROLE OF PUBLIC OPINION IN LAW REVISION

Public perceptions of what is going on in the justice system bear an uncertain relationship to reality. Nor are collective public opinions necessarily internally consistent. Thus from the perspective of most "operational decisions," "public opinion" may be taken with a respectful grain of salt. If the public is unwilling to build prisons, the justice administrator cannot "lock 'em up and throw away the key," if that is also the prevailing public mood, no matter how willing the administrator is in spirit.

We are also a constitutional society based upon recognition of minority rights. That a majority of the public might be disposed to eliminate one or another such right for a person or group or for everyone at a particular time (as was the case, for example, with the Fifth Amendment to the Constitution of the United States in the mid-1950's), does not make it wise nor does it confer power to do so by majoritarian legislation.

Most lawlessness is a form of infringement of individual rights - the perpetrator by stealth or power deprives the victim of his right to live peaceably, enjoy the fruits of his labor, etc. Thus, at minimum, a philosophical and probably a constitutional question would be posed by legislation which eliminated a common law offense which has a victim, even though public opinion might support it.

But difficult problems are posed by enacted offenses which do not superficially appear to have victims and which are not

supported by majority opinion. The American criminal law from its common law origins has included laws which were statements of the values of society. Usually these values have been consensus values. In the crimes of theft and assault, for example, both the victim and the perpetrator concur in society's definition and condemnation of the act. As statutory law has replaced common law crime and as the values of the society have diversified in a pluralistic culture, we have more laws which are disputed as to their legitimacy based on the absence of consensus value support. In some circumstances a criminal law may be justified as a protector of minority rights or a protector of victims but if a majority do not support these values and they cannot be justified based on victim protection or minority rights then by what rationale can we continue to preserve and enforce them?

Even where a majority supports a criminal statute, is a majority, as a practical and philosophical matter, enough? If the values of a substantial minority within the society are not offended by a specified behavior and there is no clear victim, is it wise to apply a criminal sanction system to the behavior in question? What if, for a substantial majority, values positively enforce the proscribed behavior? How do we distinguish value fads from long term trends? These are some of the questions posed for the policy makers which are touched on by the group of questions asked in the survey relating to drug, sex and gambling offenses and gun registration.

2. STRICTNESS AND LENIENCY OF THE CRIMINAL LAWS

The last five years have seen a considerable ferment in legis-

lative consideration of many aspects of the criminal law. The survey was designed to determine, in an introductory way, the extent and type of public concern in this area. We asked:

"Are you aware of any efforts by the legislature to deal with any of the following subjects? If so, what is your impression?"

The answers are tabulated in Table 11.

TABLE 11

Awareness of Law Reform

	<u>Aware</u>	<u>Unaware</u>	<u>Too</u> <u>Strict</u>	<u>If Aware</u> <u>Just</u> <u>Right</u>	<u>Too</u> <u>Lenient</u>	<u>No</u> <u>Answer</u>
Revise drug laws . . .	66%	30%	13%	14%	38%	3%
Revise alcohol laws .	59	37	7.2	18	34	4
Revise Criminal laws	55	41	3	12	39	4
Revise sentencing laws	49	47	4	10	33	4

Unfortunately these responses do not make clear whether the respondent thinks the earlier law or the "reform" law is the law which is too lenient. The answers thus should be interpreted as reflecting more a public mood than conviction concerning particular statutes.

By way of local comparison Dittman Research conducted a poll of Anchorage residents only (sample of 235) on the question "Do you

41/ On commission of the Anchorage Times as reported in the Times in May 1980. Despite differences in the question asked, the results of this poll and Dittman's earlier survey for this report seem superficially inconsistent. The basic answer is probably that some part of the 13% referencing the drug law as too strict, are thinking about their impression of the proposed drug laws and think that the existing law is about right or too lenient. One major difference in technique explaining this result may be that the survey commissioned by the Times was based on interview. This survey was based on a questionnaire left with the respondent and later picked up. Also, the Times survey asked more generalized questions. As we will note later, public views on drug-related issues vary greatly when particularized.

feel drug laws should be changed to be more strict, less strict, or remain as they are?" The reported results were

More strict	Less strict	Same	No response
57%	5%	35%	3%

(See further comparative comment on this finding in the section on drug laws.)

A number of national polls may cast some light on the general temper of the public on these types of issues. A 1977 CBS/New York Times poll found that two-thirds of the public placed "a lot of the blame" for "high crime rates" on "the leniency of the law."^{42/} What law and what law violators were these various respondents referring to? A Harris survey in 1975 asked what are the major contributors to violence in the country today? Organized crime (75%) and revolutionary groups lead the list. Between 81% and 84% of the national public tested in 1977 by major region^{43/} think that the courts do not deal harshly enough with criminals, an attitude surprising for its uniformity considering the wide variations in fact among regions in sentence characteristics.^{44/}

Despite these attitudes, two-thirds of the national public tested in 1977 do not feel "our system of law enforcement works to really discourage people from committing crime"^{45/} and the national public was as ready to choose non-punitive remedies such as "speedier and fairer justice" (46%), "getting parents to exercise stricter

42/ Sourcebook of Criminal Justice Statistics 1978, p 293.

43/ Roper Public Opinion Research Center, quoted in Sourcebook of Criminal Justice Statistics 1978, p 321.

44/ For example, in 1976 North Carolina held 230 persons in jails and prisons per 100,000 of population while Minnesota held only 41 (Sourcebook of Criminal Justice Statistics 1978, p 621-22).

45/ Harris - Sourcebook of Criminal Justice Statistics 1978, p 311.

discipline over their children (45%) and cleaning up social and economic conditions (46%) as more punitive remedies such as "longer prison terms" (43%).^{46/}

Like many justice professionals, the general public is dissatisfied (a condition which may be chronic) by the failure of the justice system to do more about crime and ready to accept a variety of cures and fixes if presented in an appealing fashion. Alaskans are a part of this response pattern.

3. PERCEPTIONS OF CHANGE IN THE LAW

Professionals who have struggled in the controversies of the last few years over sentence revision, criminal code revision, alcohol regulation and revision of drug treatment and criminal law revision may be surprised to learn that substantial segments of the public appear to have been oblivious to these controversies and their efforts.^{47/} As indicated in the preceding table, a high of 66% of the public was aware that efforts are underway to revise the drug laws. The sentencing law revision appears to have touched the consciousness of only a bare majority (49% compared with 47% unaware). Since such a large proportion of the public is not aware of any legislative efforts, there is not a majority of the whole public in favor of a particular change in coloration though highs of 39% and 38% think the laws (or legislative enactments or proposals) in the case of the criminal code or drug revision are "too lenient."

^{46/} Gallup - Sourcebook of Criminal Justice Statistics 1978, p 295.

^{47/} Qu 97-103, Appendix II p v , as recorded in the preceding table.

4. GUN REGISTRATION

Two questions addressed the issue of gun registration. Respondents were asked, "Do you think that all handguns should be registered with the local police department, the State Troopers, or neither?" and, "Do you think that before a handgun can be purchased in Alaska, a permit should be issued by a local police department, the State Troopers or neither?" (Both "local police" and "State Troopers" were included in order to measure attitudes toward registration and permits, rather than any individual biases for or against either law enforcement group.)

Table 12 shows responses to both questions, by region.

TABLE 12

Attitudes Toward Registration and Issuing of Permits to Purchase Handguns (percents)				
<u>Registration</u>	<u>Rural</u>	<u>Central</u>	<u>South- Central</u>	<u>South- Eastern</u>
For	65%	30%	41%	40%
Against	35	70	59	60
<u>Permit to Purchase</u>				
For	58	30	40	41
Against	42	70	60	59

A majority of Rural respondents favored both registration of handguns and the issuance of permits to purchase them (65% and 58%). A majority of respondents in other parts of the state were opposed to both registration and permits, with the greatest opposition appearing in Central Alaska. Responses of the rural sample were similar to those in a recent national survey which showed that 59% of the American people want stricter controls on handguns (with the highest percentage of those favoring controls being non-gun

owning residents of large Eastern cities).^{48/} Rural attitudes are particularly interesting since one of the arguments given for opposition to handgun registration in Alaska is the physical danger of the wild.

While state action relating to gun registration is unlikely, there have been several proposals at the federal level. Without a major shift in Alaskan attitudes towards a more restrictive view on gun sale registration, such a federal law would be practically unenforceable. When a majority or even a sizable minority (as in rural Alaska) does not believe in the offense, the attempt to enforce the law is futile.^{49/}

5. PERCEPTIONS RELATING TO ALCOHOL AND DRUGS

No area of the law in this age is more controversial than the control through the criminal law of drugs and alcohol - substances consumed recreationally for their mind-altering effects which may pose serious danger to the consumer or others. Accordingly, the survey asked a number of questions intended to elicit public opinion relevant to policy definition in this topic.

In Question 75 we asked, "In your personal opinion has the use of marijuana in Alaska increased, decreased, or stayed about the

48/ Gallup poll, reported in Targeting in on Handgun Control, Vol VI, No. 1, April 1980. Compare Gallup 1975. A national sample favored registration of all firearms 76% to 27%; 77% to 19% in 1975 of the national public favored licensing to possess a gun outside the home (Gallup) as cited at p 333-34 Sourcebook of Criminal Justice Statistics.

49/ A Chicago study of gun law enforcement from 1966 - 1973 showed that if a person was prosecuted (most were not), the chance of conviction was about one in three - despite the fact that the evidentiary case on possession charges is usually very strong - e.g., finding on a frisk. This result even in an urban area where agreement with the merits of a gun control law is quite high. Bendis, Paul; Balkin, Steven "A Look at Gun Control Enforcement" Journal of Police Science and Administration 1979.

same since 1975?" The response is set out in Table 13.

TABLE 13

Perception of Use of Marijuana in Alaska

Decreased	Remained the same	Increased
4%	21%	71%

A series of questions dealt further with public attitudes toward possession and sale of various drugs. Respondents were asked whether, in their opinion, it should be a felony, a misdemeanor or no crime at all to (1) deliver or sell to adults, (2) deliver or sell to minors, and (3) possess small amounts for personal use (age 19 or over). Later in the survey, in a question which also included inquiries with respect to sexual behavior, the survey asked, ". . . should the state of Alaska make the following activities criminal acts if they involve consenting adults in private quarters such as a home or apartment?"

Table 14 shows results.

TABLE 14

Attitudes Toward Criminality of Substances

	Use by Adults in Private Qu 240-242		Small Amount Posses- sion by Adults Qu 206-210			Sale to Adults Qu 136-140			Sale to Minors Qu 141-145		
	Not a Crime	Crime	Felony	Misd.	Not a Crime	Felony	Misd.	Not a Crime	Felony	Misd.	Not a Crime
Heroin	83	15	86	8	6	94	3	2	98	1	1
LSD	(not asked)		77	14	9	86	8	4	95	3	1
Cocaine	65	33	62	20	17	71	18	10	88	10	2
Marijuana	31	67	21	27	52	29	33	37	60	36	4
Alcohol	(not asked)		9	15	75	13	25	62	54	43	5

Our last drug-related question concerned suggested disposition for juvenile misconduct (treated elsewhere more extensively). We asked, "How would you deal with a 16 year old person who had never been in trouble with the police before?" The response on drug-related questions:

TABLE 15

	Juvenile First Offenders Drug and Alcohol Offenses							
	Send Home	Repay Victim	Probation	Probation and Repay	Short Term Jail	Medium Jail Term	Long Jail Term	No Answer
Drunk Driving	5%	2%	37%	7%	21%	10%	12%	6%
Selling Marijuana to a classmate	14	1	28	4	23	9	17	5
Smoking Marijuana	46	1	28	1	9	4	5	6
Drinking in a bar	44	2	31	2	8	3	5	6
Having a Beer Party with Friends	65	2	20	2	3	1	1	7

6. PUBLIC REACTION TO MARIJUANA LAWS

As illustrated by Table 13, seven people out of ten see marijuana as having increased since 1975 (71 increase, 4 decrease, 21 50/ same)

Information regarding the prevalence of marijuana use and changes in that prevalence might usefully be compared with the studies conducted in 1971 of Anchorage students in grades from 6

50/ Qu 75.

through 12 and a 1978 study conducted by the Urban Observatory^{51/} concerning the use of marijuana in the Anchorage population.

The 1971 study showed that over a third (36.3%) reported experimentation with drugs other than alcohol or tobacco and 19.8% reported using such substances ten or more times during the preceding year. Usage rates were about equal for boys and girls and increased as grade level increased. The 1978 study showed that 5.7% of the adult population used marijuana on a daily basis and overall, 28.8% used marijuana at least once during the preceding year.

While we are not aware of comparable national data on the perception of increased use of marijuana, Johnson, Bachmen and O'Malley^{52/} asked high school seniors, nationally, "How difficult do you think it would be for you to get each of the following types of drugs if you wanted some?" For marijuana, 87 or 88% answered "fairly easy" or "very easy" in 1975, '76 and '77. Interestingly, all other drugs showed a decline over those years. One might speculate that this reflects a marketing phenomena rather than law enforcement effort as marijuana established its preeminence as the substance of preference.

Considering the national data and Dr. Ender's report, we might speculate that the perception of increased use has more to do with increased openness about consumption in the wake of Ravin v. State^{53/}

51/ Alcohol and Drug Abuse in Anchorage - Anchorage Health Needs Assessment Study, Dr. Richard L. Ender, Anchorage Urban Observatory, 1979, Technical Report Number HC-2.

52/ USDHEW, National Institute on Drug Abuse, 1978.

53/ 537 P.2d 494 (Alaska 1975).

than consumption in fact. In any case, the perception of increased use establishes a climate of support for programs aimed at marijuana abuse, if not recriminalization.

When the public demands tougher drug laws or enforcement, care must be taken with respect to what the public means in particular. Data such as the Anchorage Times (Dittman, see page 53) finding of an interest in tougher drug laws in general and our own (also Dittman) suggestive finding of a preference for stronger drug laws among those aware of a drug law revision effort would be misleading if applied to marijuana.^{54/} Two-thirds of those polled support the legal conclusion of Ravin that use of marijuana by adults in private should not be a crime. A majority (52%) do not believe that possession of small amounts of marijuana should be a crime.^{55/}

54/ This is also certainly consistent with self-interest. See note on study of marijuana use in Anchorage supra. See also Table 16 showing attitudes to legalization.

55/ By way of comparison, various pollsters have found the following trend towards legalization (as gathered from the Sourcebook of Criminal Justice Statistics 1978 at pp 343-47).

	1969	1970	1971	1972	1973	1974	1975	1976	1977
Gallup	12			15					28
Roper					18		20	28	
Harris						25	28		34

These figures, of course, reflect the total adult age spectrum. According to Harris, a slight majority of persons in the 21-29 age group favored total decriminalization. Polling on the "Oregon" law similar to Alaska's law (civil penalty only on possession of small amounts) found the nation evenly divided in 1977. Harris (46% to 44%), Gallup (41% to 53%). These attitudes are also reflected in national data regarding preferred sentencing practices. Given a choice among a variety of jail sentences and treatment, 31.3% favored treatment as compared with 13.7% favoring a jail term. Response Analysis Corporation 1975 cited at p 343, Sourcebook of Criminal Justice Statistics 1978.

Thus any effort to "roll back" the law on marijuana consumption would likely be an enforcement disaster apart from any philosophical problems posed.

Public opinion apparently does not support the seriousness with which the law now treats sale of marijuana,^{56/} a felony under AS 17.12.110 with a penalty of not more than 25 years and up to life for a second offense. One-third of the public (37%) does not believe sale of marijuana should be a crime at all. Another third (33%) believe that sale should be classified as a misdemeanor. Only 29% would appear to support the present law.

The public's attitude was sharply different, however, with respect to sales to juveniles where a very clear consensus believes that the offense should be classified as a crime although over a third would classify the offense as not more than a misdemeanor (39.9%).

On the other hand, the public was not inclined to be particularly harsh with respect to the traffic in marijuana among juveniles. The sample population was approximately evenly split as to whether any jail time was appropriate for juveniles and more people believed that probation was appropriate than those who believed in long or medium jail sentence.

Half of the population thought that a student should be no more than sent home for being caught smoking marijuana, although one out of five believed a jail term was appropriate.

56/ This is consistent with national polling data indicating a rise in opinion favoring legalization of sale as follows: 1974, 23%; 1975, 25%; 1977, 30%; The Harris Survey as quoted in Sourcebook of Criminal Justice Statistics 1978, p 347.

These statistics suggest a number of conclusions or issues for further study with respect to the marijuana problem.

First, despite much professional opinion which sees marijuana traffic as being frequently involved with more dangerous drugs and leading to other criminal problems, the public sees marijuana in a very different light than other drugs and will not support recriminalization of small amount possession absent a major change in public opinion.

Secondly, the public does not support the severity of the present penalty scale as applied to sale of marijuana.^{57/} Thirdly, there is a consensus that minors should be protected from marijuana by the criminal law. However, as is the case with alcohol, care should be taken that the person for whose protection the law is necessary does not become the victim of it.

Despite these trends in attitudes to criminalization, the abuse of marijuana is still viewed by the professional experts and public (77% in 1977 according to Harris) as a serious problem, the trend being an increase in the proportion of those who view it as a "moderately" serious problem as distinguished from a "very" serious problem. The data suggests that public resources in this area might be directed towards methods of combating marijuana use in addition to criminal law enforcement and that the criminal sanction should be used selectively with particular emphasis on adult

^{57/} This is not to say, however, that present sentences actually imposed are out of line with public opinion.

trafficking with juveniles. The practical side of this advice is underlined if the Urban Observatory study is to be believed, by the probability that an average of four members of the Anchorage jury panel would be at least occasional users of the substance.

7. PUBLIC REACTION TO ALCOHOL CRIMINALIZATION LAWS

What has been said with respect to marijuana would appear to apply with similar force to alcohol. The acuteness of the alcohol abuse problem in Alaska is reflected in the fact that more than a third of the population is prepared to support the reimposition of prohibition (38% see sale to adults as a crime). This perception is particularly strong in rural Alaska as indicated in Table 16.

TABLE 16

Alaskan Attitude Towards Legalization of Alcohol

	POSSESSION			
	Rural	Central	Southcentral	Southeast
Crime	43%	20%	21%	24%
No Crime	57	80	79	76
	SALE			
Crime	65	39	30	35
No Crime	35	61	70	65

At the other end of the spectrum, despite the large proportion of users and tolerators of at least light drugs, the community is near unanimity on the criminality of the sale of alcohol to minors by adults. Even those who think the possession (17%) or sale (10%) of cocaine should not be a crime support the criminalization of the sale of any controlled substance to minors (3% opposed to alcohol sanction).

In this, as in many other areas, the policymaker is facing a

dilemma: how to give expression to public sentiment which is spread out on a broad spectrum with respect to use of the criminal sanction. This dilemma will be before rural, regional and municipal policy-makers in the next few years with respect to the adoption and enforcement of broadened local option possibilities with respect to alcohol possession, consumption and sale. If a majority or substantial minority is opposed to use of the criminal sanction, then enforcement problems become endemic. Yet strong sentiment cannot readily be denied expression in the law.

In terms of the emphasis which the leadership should be giving to society's concerns in this area how can public opinion surveying be of assistance? Having established the polarities, we might also have explored public acceptance for the options in the middle ground. While this survey did not ask these questions, we might have tested public reaction to a multi-tactic approach, including use of the criminal sanction, directed at reducing or discouraging consumption by minors. For adults, strategies other than the criminal sanction would appear to be more practical in terms of the level of public support though this may vary on a community basis.

8. CONTROLLED SUBSTANCES OTHER THAN MARIJUANA

There are major differences in the public perception of traffic in marijuana and in other forms of controlled substances. (See Table 14.) There is still majority support for maintaining possession or sale of heroin, LSD or cocaine as a felony although, in the case of cocaine, this is a relatively weak majority (62% for "possession," 71% for "sale," 33% opposed to criminalization of

private consumption).

The problem for law enforcement in simple cocaine prosecutions is illustrated by the probability that every jury panel will contain a person with permissive views in this area, not an enviable prospect for a prosecutor who must find a unanimous jury.

The high proportions of responses in the "no crime" and "misdemeanor" categories means that law enforcement may expect a relatively low level of cooperation from the public in reporting and enforcement of these laws where adults are involved. So strong is the weight of protection for privacy activities that fully 15% of the public polled believe that consumption of heroin in private quarters should not be a crime.

There is little reason, however, for the major drug dealer who is the principal target of thoughtful enforcement and prosecution policy, to draw comfort from this data. The survey respondent was free to imagine his own category of seller. A question intended to elicit public reaction to the person making a living from drug sales would undoubtedly have produced a strong antagonistic tide.

9. PUBLIC ATTITUDE TOWARD THE CRIMINALITY OF GAMBLING AND SEX OFFENSES

Recent opinions of the state Supreme Court have upheld the constitutional validity of statutes prohibiting public solicitation for prostitution.^{59/} These cases have left open the question of the state's interest in the criminality of privately arranged prostitution. This issue was one of the major divisions within the criminal

58/ This data continues to be drawn from Table 14, p 58. Some flavor of national attitudes on this score might be gained by looking at the 1976/5 Response Analysis Corp study showing 48% of the public preferring a treatment requirement rather than jail (26%) for first conviction heroin possession. Source-book of Criminal Justice Statistics 1978 p 342.

59/ Summers v. Anchorage 589 P.2d 863 (Alaska 1979).

code revision commission. The public is evidently willing to go much farther than the commission and the legislature (which followed the more conservative view) with respect to private activity.

Respondents were asked whether, in their opinions, the state should "make the following activities criminal acts if they involve consenting adults in private quarters, such as a home or apartment." Table 17 shows percent of respondents, by region, who favor criminalizing each type of activity.

TABLE 17

Attitudes Toward Criminalization
(Percent supporting criminalization)

	Rural	<u>Central</u>	<u>South-Central</u>	<u>South-Eastern</u>	<u>Total</u>
Prostitution (male participant)	36%	18%	27%	32%	27%
Prostitution (female participant)	38	19	26	32	27
Gambling	40	17	24	23	24
Homosexual lovemaking	33	23	26	34	27
Unmarried heterosexual lovemaking	30	11	15	22	17

In all regions of the state, a substantial majority of respondents do not support criminalization of any of the listed activities in private. Willingness to criminalize sex offenses and gambling is most prevalent in the rural part of the state, and most opposed in the Central region (Fairbanks).

By a 70% or better majority, the public believes that prostitution as such, regardless of the sex of the participant and marital status, should not be a crime.^{61/} This public perspective coincides

60/ About half of the commissioners being of a mind to decriminalize the act of prostitution as such, while criminalizing public manifestations such as solicitation and economic abuses which might constitute a nuisance or worse.

61/ Qu 236.

with the low priority which the public gives to the use of public resources for prostitution law enforcement.^{62/} Further inquiry would seem to be called for concerning whether the public supports enforcement in this area except (presumably) as this behavior causes a nuisance to or disrupts third party interests.

The statistics in this study cast doubt on the existence of an adequate level of public support for the offense of prostitution as a private consensual act and decoy operations in this area not aimed at the most flagrant public solicitation. As is the case with gambling, however, those findings should not be construed as necessarily supporting legalization of organized prostitution or many other prostitution related offenses.

The level of support for the criminalization of prostitution is similar to that for imposing prohibition on alcohol and is moved by some of the same influences and subject to similar analytical analogies. For instance, the impact of criminalization or decriminalization may change public opinion. Different enforcement policies will affect public opinion. Concern for the welfare of minors is considered on a very different level from adults. A wholesale or industrial level of commerce poses different problems for the public than single transactions, and so on.

Only a slightly larger proportion (74%) thought that private gambling should be immunized from the criminal law (which it is under the new criminal code).^{63/} (Compare 67% believing marijuana use in private to be non-criminal.)^{64/}

62/ Table 19.

63/ Qu 237.

64/ Qu 240.

It would appear that preservation of laws on the books which make consensual sexual acts by adults in private a crime is not supported by the public. Excepting the commercial context, this result is also achieved by the new criminal code.

10. ELECTION OF JUSTICE OFFICIALS

A series of questions addressed the issue of public preference for election versus gubernatorial appointment of various justice officials. Responses are shown in Table 18.

TABLE 18

Attitudes Toward Election vs. Appointment of
Justice Officials

	<u>Public Election</u>	<u>Appointment</u>	<u>No Answer</u>
Attorney General	69%	29%	2%
District Attorneys	73	25	2
District Court Judges	76	21	2
Superior Court Judges	75	22	2
Supreme Court Justices	72	24	3

The public favors election of these officials by a margin of roughly three to one (ranging from 69% favoring election of the Attorney General to 76% for election of District Court Judges). The wording of the question and responses to it are inapposite in the case of judges, since present practice combines the two approaches: judges are appointed, and then must stand for re-election. Therefore, the responses to this question are ambiguous as applied to the status quo. It is interesting that slightly fewer people favor the election of the Attorney General than other justice

officials, since this issue is perhaps more frequently raised during political campaigns.

The method of selection of personnel, like educational qualification, is an operational decision, not solely a question of community value; nevertheless the public view is entitled to great weight. Professional opinion weighs heavily in favor of an appointive system as reflected in national literature on this subject.^{65/} Despite evidence with regard to the greater degree of corruption and the diminishment of professionalism when justice officials are picked through the elective process, the public appears to prefer election by about three to one.^{66/}

This finding suggests further exploration be given to defining the roles of judges, the attorney general and district attorney and the role of the public in their appointment and retention. Before opting for a straight elective system, considering its historic problems, intermediate or alternative options might be further tested for operational practicality and public acceptance.

Public acceptance of the "Missouri Plan" should be tested directly. The finding of this poll could be misleading.

Alternatives for the office of attorney general include: division of the office in its prosecutorial and civil functions; appointment for a fixed term; appointment of a functionally divided or undivided office under a Missouri Plan. It is noted that election of the attorney general would require a constitutional amendment. A further inquiry might clarify whether district attorneys should be elected if appointed by an elected attorney general or municipal authority.

65/ See for example standard seven, "Courts," National Advisory Commission on Criminal Justice Standards and Goals 1973.

66/ Qu 243-247.

PART IV

Public Attitudes Towards Selected Operational Decisions and Resource Allocations

Many operational decisions concerning the day-to-day administration of justice agencies must be made on the basis of professional opinion. However, these decisions should be made with an awareness of public attitudes and values. A number of questions, therefore, addressed allocation of public funds and methods of enforcement, sentencing and rehabilitation.

1. PUBLIC PERCEPTION OF PRIORITIES IN ENFORCEMENT AND CORRECTIONS

Three blocks of questions were asked which relate to the relative priority seen in the application of enforcement resources, primarily police resources. These questions were asked at three stages of distance from direct, personal concern: 1) overall appropriate societal allocation; 2) what police should be doing; 3) what police would be called for by respondent. Note that in the first block of questions two inquiries - prostitution prevention and jail facilities were included for comparative purposes.

In questions 126-135 we asked, "Assume that the state only has a limited amount of financial resources available for use for the criminal justice system. The following is a list of uses of your tax money. Please number them in order of importance, with emphasis on on the two MOST important (1-2) and the two LEAST important (9-10)." The results are set out in Table 19.

TABLE 19
Perceptions of Relative Importance
in Allocation of Resources

Activity	Mean Score	% of Respondents Ranking 1 or 2	% of Respondents Ranking 9 or 10
Investigation and Prosecution of Violent Crime	1.6	67%	1%
Burglary Prevention and Investigation	3.5	21	4
Heroin Investigation and Prosecution	3.8	18	6
Preventive Street Patrols	4.0	20	10
Vehicle Safety Enforcement	4.2	16	10
Drug Investigation and Prosecu- tion (other than heroin)	4.8	14	19
Increase Police Services in Rural Villages	5.0	9	18
White Collar Crime Investiga- tion and Prosecution	5.3	9	20
More Jail Facilities	5.9	4	29
Prostitution Prevention Programs	7.5	0.5	63

✓ We then said, "The following is a list of services which are usually performed by a police department. Please number them in order of importance, with emphasis on the two MOST important (1-2) and the two LEAST important (7-8). The results are set out in Table 20.

TABLE 20

Relative Importance of Various Police Services
(in percents)

Activity	% of Respondents Ranking 1 or 2	% of Respondents Ranking 7 or 8
Investigate Crimes Committed	53%	2%
Patrol Residential Neighborhoods	31	11
Provide Emergency Medical Service	21	21
Intervene in Family Crises	21	19
Regulate and Investigate Traffic	19	16
Patrol Business District	17	16
Deal with Juvenile Delinquents	14	12
Respond to Non-criminal Complaints	2	78

The function of police is determined in part by what they are asked to do by the public. Respondents were asked in a third block of questions "Which of the following problems would likely cause you to call the police to deal with it?" Responses are shown in Table 21 in rank order.

TABLE 21

Situation in Which Police Would be Called

Event	% Who Would Call Police
Gunshots near your home	89%
Runaway child	84
Live power lines down in street	76
Trespassers	71
Member of family seriously injured	60
Neighborhood kids take your property	60
Kids operating snowmobiles recklessly	60
Mentally ill person	53
Drunk person on street	36
Pack of dogs running loose	31
Loud party after midnight	26
Stranger in neighborhood	24
Emergency weather report	14

On the question of overall resource allocation (Table 19), high levels of support were indicated for such traditional activities as investigation and prosecution of violent crime (rated important by 66.9% of the population). This category was rated most important three times more often than the next class of police activity, burglary prevention and investigation.

Support for more jail facilities rarely appeared and in 29% of cases was ranked in the bottom two categories. This funding accents again an old dilemma of the system. The public's willingness to incarcerate or punish offenders is not matched by its

willingness to build prisons for this purpose or to foot the bill for prison operations. Through future opinion testing and in meetings with the public, justice officials might emphasize the linkage of "stricter" sentencing and the cost associated with longer sentences to better test public willingness to foot the bill.

System professionals who see a shift in crime towards white collar types of offenses have reason to closely monitor public support for police and prosecution activities in this area and encourage adequate support for public education concerning the various cost of white collar crime. White collar investigation ranked significantly below program activities such as preventive street patrol and vehicle safety enforcement.

The study suggests that, at a minimum, a further inquiry be made into the desirability of expending funds in prostitution prevention programs. Only .5% of the population rated this in the top two categories and it ranked sharply below all other indicated objects of expenditure. This is consistent with findings reported earlier with respect to attitude to criminalization. Caution, however, is due with respect to radical change. It takes no great flight of imagination to see that public opinion might change considerably if prostitution was a more intrusive aspect of community life. In part, it might be argued, public attitude to prostitution could be attributed to successful control policies of police agencies.

Table 20 offers another gauge of the public's perception of the importance of various facets of law enforcement activity. The public appears to support the concept of a general service agent

dealing in traffic, juvenile matters, family crisis intervention, medical emergency and routine patrol, as well as investigating crimes. No clear pattern emerges except that responding to complaints such as "lost dogs, locked cars, etc." would seem to be clearly "least important."

Table 21 (Qu 180-192) related to the kind of problem which would cause a person to call police. What is remarkable in these answers is the degree to which the citizen chooses not to report dangerous circumstances. Sizable minorities or majorities would not call the police with respect to a variety of situations where there may be a serious threat to life or limb and where there may be no immediate alternative: a drunk on the street (61%) (like the mentally ill or runaway - a person a danger to himself); gunshots near home (10%) (for virtually all respondents, an indication of a criminal offense); reckless operations of snowmobiles by juveniles (37%); trespassers (27%); mentally ill persons (43%); live power lines in street (23%); runaway child (14%). While this data is not comprehensive enough to allow sweeping conclusions,^{67/} it does suggest at least why the policeman's lot may not be an entirely happy one: very modest levels of citizen cooperation.^{68/}

67/ While one possible explanation of the large numbers not calling the police is the "Kitty Genovese" syndrome (where hundreds listened to a New York City woman being murdered), it is also possible that non-reporting Alaskans are more self-reliant and would take action other than calling the police.

68/ By way of comparison, the National Assessment of Economic Progress polled nationally in 1972 and 1976 on the question, 'Suppose you saw a stranger slashing the tires of a car. Would you report and describe that person to the police?'

	1972 %	1976 %
yes	74	67
no	14	10
undecided	12	22

These answers emphasize the importance of public education concerning the citizen's role in the public peace and law enforcement activities of the state. A more widespread understanding of the importance of the role played by the citizen and the dependence of the police on cooperation by citizens would be of considerable help in improving the climate of community safety.

2. JUSTICE SERVICES IN RURAL ALASKA

A series of questions was asked in order to determine perceived adequacy of justice services in rural Alaska. The question was posed as follows:

In the section which follows is a list of services commonly provided by the criminal justice system. On the basis of your own knowledge, do you believe that people who live in rural Alaska (villages) receive too little, too much, or about the right level of these services compared to people who live in Alaska's cities or towns.

Unfortunately, there was no truly "rural" sample on this survey. However, the Northwest Region (Bethel, Nome and Kotzebue) was the most nearly rural, and respondents would be influenced by problems in the more rural areas. Table 22 shows responses for this region ^{69/} (called Rural), as compared to the rest of the state.

69 / Although there were varying numbers answering each question, there were from 73 to 78 Rural respondents to each item, and 456 to 473 Urban respondents. About 20% of the total sample did not answer these items, perhaps feeling unqualified to comment on rural services.

TABLE 22

Perceived Adequacy of Service in Rural Areas *

	<u>Rural</u> <u>Respondents</u>	<u>Urban</u> <u>Respondents</u>
Police response to non-crime problems		
Too little	58	53
About right	36	43
Too much	5	4
Police response to crimes		
Too little	59	55
About right	40	44
Too much	1	1
Access to prosecutor		
Too little	65	56
About right	33	42
Too much	1	2
Access to public defender (free lawyer)		
Too little	51	50
About right	48	41
Too much	1	9
Access to private lawyer		
Too little	65	53
About right	33	45
Too much	1	2
Access to a magistrate (non-lawyer judge)		
Too little	47	42
About right	47	57
Too much	5	1
Access to a judge		
Too little	62	53
About right	37	45
Too much	1	1
Local programs for rehabilitation		
Too little	88	61
About right	11	32
Too much	1	7
Access to probation/parole officers		
Too little	67	52
About right	30	45
Too much	3	3
Trial in own home town		
Too little	74	55
About right	25	40
Too much	1	5
Serve prison sentence near friends		
Too little	53	43
About right	44	42
Too much	3	15

* Excluding "no answer" - approximately 20% of total

Across the whole population, there is a general acceptance of change in the direction of more service for rural areas. Only on the question of availability of access to magistrates did more people feel the situation was "about right" than "too little."^{70/} The increase in local programs for rehabilitation showed the highest acceptance for increase. Over half those responding (61%) thought "too little" was rendered of this service while less than half that, 27%, thought rehabilitation services were "about right."^{71/} Thus the largest mandate for change in provisions of service by sector would appear to be to provide rehabilitation services - a result which coincides with at least some sectors of professional opinion.

More careful testing would be required to test the degree of strength of feeling for "more" felt in rural as compared with urban communities. The area of greatest spread between rural and urban attitudes was that of access to a trial in one's home town; 74% of rural and 55% of urban respondents think that there is too little access to this service.

3. CONSOLIDATION OF PUBLIC SAFETY SERVICES

Two questions concerned the consolidation of public safety services. One dealt with administration of services and asked, "Would you favor the creation of a single agency which would provide police, fire, emergency medical and social services for your community?" The second involved training and diversification of roles: "Do you think it would be a good idea for the state and

^{70/} 45% about right; 34% too little. Qu 52.

^{71/} Qu 54. Table 22 reflects the distinctions between urban and rural viewpoints.

local units of government to employ in one agency individuals who could perform equally well police, fire and emergency medical duties?"

Responses are shown in Table 23, by region.

TABLE 23

Attitudes Toward Consolidation of Services

	Rural	Central	South- Central	South- Eastern	Total
Percent in favor of Consolidated Agency	48	36	32	38	35
Percent in favor of Multiple Training of Individuals	67	33	43	53	46

Most members of the public prefer the separate specialized service systems they now have for police, fire, emergency medical and social service functions. Only 35% of the total sample thought a consolidated public safety agency would be advantageous; however, 48% of rural residents favored such a concept. It would be interesting to test at some later time, what public reaction would be to a public safety concept which excluded "social services," a factor which we suspect highly colored the response to this question.

Apart from the question of administrative consolidation, the public was evenly divided as to whether individuals should be trained to perform equally in police, fire and emergency medical duty responsibilities. A two-thirds majority of rural respondents favored this concept. Thus if state policy is to move towards a public safety officer concept for rural communities it will find a relatively high degree of acceptance for such a program.

4. PUBLIC ATTITUDES TOWARD POLICE USE OF FIREARMS

In view of the controversy over statutory restrictions on the use of firearms by police, the survey asks a number of questions concerning whether a police officer should be allowed to shoot (after warning) in particular types of confrontations.^{72/} The question was as follows:

In which of the following situations should a police officer be allowed by law to shoot to kill (assume no warning shot would be fired, but a verbal warning such as "Stop, or I'll shoot" would be given if practical). In each case, the police officer knows only the following facts.

Responses are shown in Table 24, rank ordered by frequency of positive response.

TABLE 24
Police Use of Firearms

Event	% saying OK to Shoot
A person firing at a police officer	95
Adult committing robbery while holding gun on clerk	76
A person holding a hostage	73
Person of undetermined age running from scene of a robbery in which victim was killed with gun	62
Youth running from mugging in which elderly person hurt	27
Car full of people meeting general descriptions of a victim, leaving general area of crime scene	14
Adult running from general area of a burglary report (house broken into)	12
Person crawling through window of a house	12
Person under 18 fleeing from police in stolen car where no other crime has been committed	9

72/ Qu 211-219. As a matter of statutory interpretation and perhaps constitutional law, these issues have been settled by State v. Sundberg, Op. No 2082, file 4397 Alaska Supreme Court May 9, 1980. However, police administrative practices and policies are still a variable.

In general, the survey shows public opinion as supporting the existing status of the law^{73/} which allows an officer to shoot only in the event that serious personal violence has occurred and escape is likely or that such violence may thereby be prevented. For example, only 12% thought a police officer should be permitted to shoot a person fleeing from a burglary.^{74/} Seventy-one percent to 27%, the public was opposed to allowing a police to shoot a youth running from a mugging in which an elderly person was hurt.^{75/}

Public support for police use of firearms is solid if far from unanimous when the danger is implied rather than actual. Two out of three thought a police officer might shoot a person fleeing from the scene of a robbery-homicide.^{76/} This kind of situation gives rise to serious problems where a mistake in fact is made. On the other hand, 76% compared with 23% thought that an officer could shoot in interrupting an armed robbery where the robber held a gun on the clerk.^{77/} Ninety percent or better thought that police could shoot when the person was firing at the police officer or holding a hostage.^{78/}

73/ AS 11.81.370.

74/ Qu 212.

75/ Qu 213.

76/ Qu 211.

77/ Qu 216.

78/ Qu 219.

✓ Public opinion here seems to support the most conservative posture on police use of firearms consistent with personal safety.

5. SENTENCING PHILOSOPHY

The public has been exposed in the last few years to a trend towards reassertion of the "justice model" of penal philosophy, as opposed to the "corrective," "medical" or "rehabilitative" model. To some extent this justice model, which says the focus of the sentence should be on the offense, not the offender, is reflected in the sentencing provisions of the new criminal code. A reduction in judicial discretion is also consistent with the new philosophy.

A series of questions^{79/} was designed to test public opinions in the area of sentencing, with emphasis on distinctions between the "justice model" and the "rehabilitative" model. Respondents were asked to indicate the strength of their agreement or disagreement with a series of statements about sentencing in criminal cases.

Responses to questions 146-155 are shown in Table 25. Items are presented in the rank order with which respondents agreed to them. (See next page.)

These statements obviously reflected values about which the respondents felt strongly; there were few "neutral" responses, and a majority (ranging from 93% to 62%) agreed with each of eight items. There were two items with which a majority did not agree. To the item, "The legislature should let judges impose sentences as the judges see fit in each individual case," 46% agreed, 16% were neutral and 35% disagreed. To the item, "The legislature should set the sentence which the judge must impose in all cases," 28% agreed, 14% were neutral and 55% disagreed. Since these two

79 / Q 146-155, 156, 157.

TABLE 25
PUBLIC ATTITUDES TOWARD SENTENCING CONSIDERATIONS
(in percent)

An Important Consideration in Sentencing is:	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
The nature of the offense and extent to which it endangered public safety	54	39	3	*	*
Effect sentence will have in causing offender to not commit further crimes	43	37	11	5	4
Need to isolate offender from society to prevent further criminal conduct during period of confinement	42	36	11	6	*
Seriousness of offense in relation to other offenses	37	40	8	8	3
Effect of sentence in causing others to not commit similar crimes	44	32	11	8	2
Reasonable uniformity in sentences is a good goal for the justice system	36	34	14	8	4
Effect of sentence on likelihood of rehabilitation of offender	31	38	15	9	3
Extent to which sentence will support community opinion that act is criminal and reinforce society's definition of good conduct	27	35	18	11	5
Legislature should let judges impose sentences as the judges see fit in each individual case	18	28	16	21	13
Legislature should set the sentence which the judge must impose in all cases	15	13	14	31	24
* less than 1%					

statements represent the extremes in delegation of authority for setting sentences, the Alaskan public would seem to favor judicial discretion if it is to be all one way or the other. In general, it would appear that the legislative emphasis of recent years on limiting the discretion of judges is not based upon widespread public opinion demanding such a move.

Agreement with most of the items shows that the public is not ready to accept completely either the "justice" or the "rehabilitative" model in sentencing, as indicated by the two items eliciting the

✓ greatest amount of agreement. Ninety-three percent agree that "The nature of the offense and extent to which it endangers public safety" should be an important consideration (justice model), while 80% agree that judges should consider "The effect the sentence will have in causing the offender to commit future crimes (rehabilitative model).

Five items in the table reflect the justice model, while only two clearly stated the "rehabilitative" model. The clearest statement of the latter was "The effect the sentence will have on the likelihood of rehabilitation of the offender." While this item ranked seventh in terms of agreement (69% agreeing), support for the rehabilitative model was expressed more clearly in response to a separate question^{80/} which asked,

When sentencing a person convicted of a crime, do you feel the judge should only consider the nature of the crime and the person's prior criminal history, or do you feel the judge should consider other information regarding the crime and the person's background?

✓ A majority (60%) felt that the judge should consider information regarding the crime and the offender's background, while 35% felt that only the nature of the crime and criminal history should be considered. This might be compared with the choice offered in question 156 - is the primary purpose of imprisonment punishment or deterrence? Punishment wins over deterrence 45 to 36%.

Another series of questions^{81/} dealt with sentencing of juvenile first offenders. Thirteen types of juvenile misbehavior were listed and, for each, respondents were asked, "How would you deal with a 16 year old person who had never been in trouble with the police

80/ Q 157.

81/ Q 193-205.

before? A series of sentencing options were provided. Responses are shown in Table 26.

TABLE 26
Sentencing Options for Juvenile First Offenders
(in percent)

Event	Total No Jail	Send Home	Repay Victim	Pro- bation	Probation and Repay	3-6 Mo. Jail	6-12 Mo. Jail	1 yr+ Jail	Total Some Jail
Mugging an old person	14	1	2	3	8	22	20	40	82
Stealing a car	46	1	6	13	26	26	12	11	49
Selling marijuana to class- mate	47	14	1	28	4	23	9	17	49
Drunk driving	51	5	2	37	7	21	10	12	43
Vandalizing inside of school	67	2	16	5	44	13	9	6	28
Threatening teachers	71	30	2	34	5	11	5	6	22
Smoking marijuana	75.7	46	0.7	28	1	9	4	5	18
Drinking in a bar	79	44	2	31	2	8	3	5	16
Illegal sex	72	56	1	13	2	6	3	6	15
Steal \$150 item from store	87	6	20	8	53	5	3	2	10
Break store windows	88	3	36	4	45	4	2	1	7
Stealing a record from store	90	15	28	9	38	4	0.6	2	6.6
Having beer party with friends	89	65	2	20	2	3	1	1	5

The public was conservative with respect to the application of any jail time to first offenders, most disregarding the advocacy of the "short jolt" theory which would see the ends of rehabilitation served by a short jail term the first time the juvenile is picked up.

Only in the case of the mugging of an old man or woman did a consensus emerge favoring some jail time. Predominant opinion seemed to be that the juvenile should be taken home with a probationary processing for such offenses as smoking marijuana, drinking in a bar or with friends, engaging in illegal sex or having a beer party. Shoplifting, even a \$150 item, drew only 10% willing to support a jail term for a first offender. With respect to drunken driving, opinion was about evenly split on the appropriateness of jail.

These perspectives of the public certainly appear to justify the view that juveniles should be treated in a separate category for processing and sentencing even where "adult" crimes are involved.

6. CORRECTIONS MANAGEMENT POLICIES

As earlier noted, when given the choice to identify the purpose of imprisonment, 45% picked punishment over deterrence (36%). The public appears to believe incarceration is punishment enough without adding on indignities or restrictions not dictated by security considerations. Such functions as weekly visits from friends, daily recreational activity, TV watching, movies and attending classes all received comfortable levels of support.

A list of activities which might be available to prisoners was provided, and respondents were asked the extent to which they would be in favor of each. The items are rank-ordered in Table 27, in terms of extent of support for each. (Strongly agree and Agree have been combined in this table, as have Disagree and Strongly Disagree.)

TABLE 27

Support for Prison Activities (in percent)

	<u>Agree</u>	<u>Neutral</u>	<u>Disagree</u>
Attend classes inside the prison	90	5	4
Daily recreation activities	87	7	5
Weekly visits from friends	73	12	15
See religious counselors daily	71	23	5
See movies	59	25	14
TV during "prime time"	56	23	19
Participate in Coed learning	51	21	26
Sexual relations with spouse	47	18	35
Daily visits from relatives	43	22	34
Send mail which isn't opened by prison officials	40	19	40
Wear their own clothes	38	21	40
Receive mail unopened	35	16	47
Work inside prison at same wages paid outside prison for same work	19	11	68
Attend classes outside the prison	15	23	60

A majority of respondents agree that inmates should be allowed a variety of educational and recreational opportunities.

But warning signs are out on activities outside of prison. Sixty percent oppose permission to attend classes outside of prison. Nor does the public support programs to work inside a prison at the same wages paid persons outside. However, this is not authority for measuring potential public opposition to prison industries where the prisoner must dedicate his earnings in part to family support, self-support, restitution, etc.

More people (47%) support conjugal visits than oppose (35% with 18% neutral). This at least demonstrates the reasonableness of test programs though there will also clearly be some sharp critics.

7. EFFECTIVENESS OF PUBLIC EDUCATION IN JUSTICE

During 1979, the justice system continued to make a small investment of resources in public service announcements and mini-documentaries in television, a program initiative that had begun a year earlier. It was anticipated that the effect of this continued effort would be to show an increased perception by the public of knowledge concerning the Alaska justice system. Since very little of television production on the Alaska justice system emanates from private sources, we can to some extent measure the extent of the impact of this program investment. The questionnaire asked respondents whether, during the past year, they had seen more, less or about the same number of TV programs about the Alaska criminal justice system. Twenty-one percent (21%) of the public said they

had seen more television programs, 25% about the same and 8%
thought they had seen less.^{82/} Forty-three percent could not recall
seeing any programs of this nature. Thus one person out of five
is aware that there has in fact been an increase in this activity.
Marginal comments explain at least part of the high proportion who
have seen no programming. Substantial numbers of people watch little
or no television, even while most of those who do watch view many
hours a week. The response also serves as a reminder that a substan-
tial impact requires substantial resources. In future years, it would
be interesting to test possible changes in public perceptions of
justice system realities by correlating questions on TV viewing and
attitudes, for example, toward corrections functions, assuming that
is a topic targeted by justice system managers.

8. PERCEPTIONS OF CHANGE

Less than one person out of three could identify an event indi-
cating a change in the administration of justice during the past
year (32%).^{83/} Perhaps this is further evidence that the public's
perception of the abolition of plea bargaining is minimal. A little
more than a third (36%) had some occurrence during the past year
which had caused them to develop a change of opinion in some respect
about the justice system.^{84/} While answers to our other questions,
in comparison to answers of past years, do not show an increasing
negative attitude towards the justice system among the general
population, almost four out of five of those who thought they had
experienced a change in attitude toward the justice system saw

82 / Qu 58.

83 / Qu 59.

84 / Qu 60.

their attitude as shifting more to the negative 28% as compared with 6% having a positive feeling).^{85/} Thus we are probably recording a perpetuation of negative feeling among this proportion of the public rather than a shift. The shift to a negative feeling did not appear to tie to any particular aspect of system operations. Small numbers stated that they were negatively influenced by such matters as being disturbed by an apparently lenient sentence in a specific notorious criminal case, police treatment at a traffic stop, being the victim of a crime, visiting a jail or being a courtroom spectator.

Perhaps this is not too surprising. Members of the public have contact with the system rarely and at a variety of different points, each of which is likely to leave an impression. Justice system professionals must remember that the system is always on trial.

85 / Qu 61.

METHODOLOGY

The sample selection procedures employed throughout the course of the survey for the Criminal Justice Planning Agency were designed to ensure maximum integrity of the resultant data. In every instance, specific and deliberate efforts were made to certify the sample was distributed throughout the diverse demographic and geographic elements within each community making certain the results would reflect the aggregate views held by the residents of each area as a whole.

Sample design- Rather than relying on a strictly "random" sample, which essentially means "luck of the draw", the sample area assignments were deliberately distributed throughout specific areas in each community to assure wide geographic representation.

Sampling was distributed throughout Alaska's four main geographic regions in the communities listed below:

North/Northwestern

Bethel
Nome
Kotzebue

Central/Interior

Fairbanks
Minto

Southcentral

Anchorage
Kenai
Mat-Su

Southeastern

Juneau
Sitka
Ketchikan

Sample selection- Within each specifically assigned geographic sample area, the individual respondents were randomly selected. The interviewers were assigned a specific starting point based on intersections of streets, roads, lanes, avenues, etc., and starting with that point, interviewers completed the required number of interviews for their respective assignments in homes in the pre-selected locations. In the cases where there weren't enough homes in the assigned cluster areas, the interviewers were instructed to go to the nearest adjacent dwelling units to complete their assignment. In order to assure the most representative sample and include the majority of working people in the correct proportion, at least half the interviews were completed during the evening hours between 5:30 and 9:00 PM. The interviewing was accomplished simultaneously throughout Alaska, and was completed during the period of November 15 - December 31, 1979. A second-effort additional sample was completed during the period of February 9 - 22, 1980.

Sample description- In the North/Northwestern region the sample was apportioned based on population among the three sampled communities, Bethel, Nome, and Kotzebue. Within each community the sample locations were assigned and distributed to assure the most wide-ranging and comprehensive representation.

The majority of the sample for the Central/Interior region was drawn from its major community, Fairbanks, and the sample starting points were randomly selected from a map of the Fairbanks area. In order to provide an element of rural representation, a smaller sample was drawn from the village of Minto.

Within the Southcentral region sample selection was also accomplished in proportion to community population, with the largest number drawn from Anchorage, and smaller samples drawn from the Kenai Peninsula and Matanuska-Susitna areas.

The Southeastern region sample consisted of separate samples drawn from Juneau, Sitka, and Ketchikan.

Additional interviewing- Due to the sensitive nature of the survey topic (crimes committed against individuals, rapes, attitudes toward police and judges, etc.), all respondents were promised complete anonymity and the questionnaires were completed by the respondents in the privacy and security of their homes without the presence or review of other individuals.

Upon delivery of the state-wide survey to the Criminal Justice center, it was noted that due to a printer's error, nineteen questionnaires were found to have a blank page, and an additional 69 either had a rating scale which was incorrectly completed or included 40 or more questions which were not answered by the respondent. It was felt that more complete findings would result if additional interviews were to be completed to replace those with 40 or more unanswered questions. Consequently, a second-effort survey was undertaken in which interviewers returned to each sampled community and an additional eighty-eight interviews were completed to replace the incomplete questionnaires. An additional 17 were also completed to fulfill the contract figure of 675 respondents.

In summary, the survey research effort involved a ten-page questionnaire featuring 259 questions, and included respondents extending from Saxman (south of Ketchikan), through Sitka and Juneau, and continuing north through the Kenai Peninsula to Anchorage, and the Matanuska-Susitna Valley. From the Mat-Su area, interviewing continued through Fairbanks and Minto and extended to the rural communities of Bethel, Kotzebue, and Nome. From a data-base point of view, the respondents represent a wide array of geographic and demographic characteristics, and the findings should be considered well representative and highly indicative of aggregate resident views concerning crime and criminal justice in Alaska.

1. In the past 12 months, August 78-July 79, do you feel that crime in your neighborhood has increased, decreased or remained about the same as it was before?

increased.....()1
 remained about the same.....()2
 decreased.....()3
see Figure 1, page 11

2. Within the past 12 months, August 78-July 79, do you feel that crime in Alaska has increased, decreased or remained about the same as it was before?

increased.....()1
 remained about the same.....()2
 decreased.....()3
see Figure 3, page 13

3. In your community do you feel that crime is increasing faster than the population, slower than the population, or that they are both increasing at the same rate?

Crime is increasing faster than population.....()1
 crime is increasing slower than population.....()2
 crime is increasing at the same rate as population.....()3
 crime is decreasing.....()4
see Figure 4, page 14

4. In the past 12 months, do you feel that juvenile delinquency (acts which would be crimes if committed by persons over the age of 18) in your neighborhood has increased, decreased, or stayed about the same?

increased.....()1
 remained about the same.....()2
 decreased.....()3
see Figure 2, page 12

5. In the section below is a list of crimes...first, please indicate whether anyone in your household has been a victim of any of these crimes during the past year; second, whether the crime was reported or not; and third, if there has been a victim, and the crime was not reported, please use the number next to the reason (listed below the crimes) which comes closest to explaining why it was not reported.

CRIME	WAS IT COMMITTED?		WAS IT REPORTED?		IF NOT WHY NOT?	**
	YES	NO	YES	NO	REASON #	
5. Murder.....	()1	()2	6. ()1	()2	_____	
8. Rape (forcible sexual intercourse).....	()1	()2	9. ()1	()2	_____	
11. Robbery (taking property by threat or force).....	()1	()2	12. ()1	()2	_____	21
14. Assault (physically hitting a person).....	()1	()2	15. ()1	()2	_____	26
17. Burglary (taking property from home).....	()1	()2	18. ()1	()2	_____	
20. Motor vehicle theft.....	()1	()2	21. ()1	()2	_____	
23. Forgery, fraud.....	()1	()2	24. ()1	()2	_____	
26. Destruction of property...	()1	()2	27. ()1	()2	_____	
29. Petty theft (under \$200)...	()1	()2	30. ()1	()2	_____	
32. Grand theft (over \$200)...	()1	()2	33. ()1	()2	_____	

** REASONS

- (1) Insufficient proof (6) I knew who to report to.
 (2) Petty crime, not important (7) Police were not available
 (3) Police can't do anything (8) Personal problem, nobody
 (4) Police won't do anything else's business
 (5) Fear of criminal (9) other
 to get even

NOTE: (if no crime was committed, disregard the "Reported" and "Why not" columns)

35. Does your household have a gun which was bought only to protect yourself or your family?

Yes....21.3% No.... 75.3% No Answer. .3.4%

36. If yes is it:

a hand gun....14.6% a long gun (rifle, shotgun).... 55%

Among the individual employees of the justice system listed below, do you think that the amount of freedom these employees have to make important decisions by themselves such as arresting someone is about right, too much, or too little?

		too little	about right	too much
37	Police (to arrest)	1()	2()	3()
38	Police (to decide what crime to charge the defendant with)	1()	2()	3()
39	Police (to issue traffic tickets)	1()	2()	3()
40	Fish and Wildlife Office (to arrest someone)	1()	2()	3()
41	Prosecutor (to dismiss a case)	1()	2()	3()
42	Prosecutor (to reduce a charge)	1()	2()	3()
43	Judge (to decide on a sentence)	1()	2()	3()
44	Probation Officer (to revoke probation)	1()	2()	3()
45	Parole Officer (to revoke parole)	1()	2()	3()
46	Parole Board (to release from prison)	1()	2()	3()

In the section which follows is a list of services commonly provided by the criminal justice system. On the basis of your own knowledge, do you believe that people who live in rural Alaska (villages) receive too little, too much, or about the right level of those services compared to people who live in Alaska's cities or towns.

		too little	about right	too much	No Answer
		%	%	%	%
47	Police reponse to non-crime problems	43.8	34.3	3.4	18.5
48	Police response to crimes	45.9	35.4	0.7	18.0
49	Access to a prosecutor	46.2	32.2	1.6	20.0
50	Access to a public defender (free lawyer)	41.0	33.4	6.5	19.1
51	Access to a private lawyer	44.2	35.2	1.6	18.9
52	Access to a magistrate (a non-lawyer judge)	34.3	45.3	1.5	18.9
53	Access to a judge	43.8	35.4	1.0	19.8
54	Local programs for rehabilitation	52.4	23.7	5.2	18.8
55	Access to probation/parole officers	42.9	34.8	2.2	20.1
56	Trial in own home town	46.0	30.3	3.3	20.4
57	Serve prison sentence near friends	34.9	33.6	10.5	20.9

58. During the past year have you seen more, less, or about the same number of television programs about the Alaska criminal justice system as you have seen in previous years?

more.....20.9% about the same.....24.9% No Answer 2.9%
less..... 8.3% haven't seen any....43.0%

59. Can you think of any event that occurred within the past year that indicates a change is occurring in the way in which justice is administered in Alaska?

Yes... 31.7% No...62.9% No Answer 5.4%

If yes, what _____

60. Has anything happened within the past year to cause you to change your mind about the criminal justice system, or to develop an opinion which you didn't have before?

yes...35.9% no...58.6% (If "no", skip to #75) No Answer 5.5%

61. (If "yes", do you now have a more positive or negative feeling regarding the criminal justice system?)

positive...5.8 negative...26.4

(If "yes", what happened?)

62. visited a jail.....11.8%

63. victim of a crime.....12.2%

64. party to a civil suit... 6.1%

65. traffic accident..... 8.8%

66. traffic violation..... 9.9%

67. witness in a court case..8.0%

68. served as a juror.....9.5%

69. called for jury duty

but did not serve....5.0%

70. spectator in court....11.5%

71. other 17.2%

72. I heard about _____

See Table I, App II, p iv

In your own personal opinion, over the past few years, has the kind of plea bargaining in which the prosecutor agrees to reduce or drop charges against a defendant in return for a plea of guilty increased, decreased, or remained about the same?

73. increased....37.6% decreased.... 16.9% remained the same....32.5%
No Answer 13.0%

74. In your own personal opinion, over the past few years, has the kind of plea bargaining in which the prosecutor agrees to recommend a more lenient sentence in return for a plea of guilty increased, decreased, or remained about the same?

increased.... 39.8% decreased....15.1% remained the same....32.1%
No Answer 13.0%

75. In your own personal opinion, has the use of marijuana in Alaska increased, decreased, or stayed about the same since 1975?

increased.... 71.4% decreased....4.0% remained the same....21.4%
No Answer 3.0%

76. In your own personal opinion, when judges in Alaska are sentencing defendants in criminal cases, do you feel they assign more lenient sentences to minorities, more harsh sentences to minorities or do not consider race when sentencing defendants?

more lenient for minorities....32.4%
more harsh for minorities.....19.1%
do not consider race.....43.0%
No Answer..... 5.5%

77. In your own personal opinion, do you feel a police officer in Alaska would be more likely to stop a suspicious minority, a suspicious non-minority, or not consider race at all?

stop suspicious minority.....42.6%
stop suspicious non-minority... 5.2%
do not consider race.....48.8%
No Answer..... 3.4%

78. In your own personal opinion, do you feel a prosecutor would be more likely to prosecute a minority charged with a criminal offense, a non-minority charged with a criminal offense, or not consider race at all?

minority charged with offense.. 31.1%
non-minority charge with
offense..... 10.5%
not consider race..... 53.7%
No Answer..... 4.7%

79. In your own personal opinion, do you feel the Alaska Parole Board would be more likely to release a minority prisoner, a non-minority prisoner, or not consider race at all?

release a minority prisoner... 29%
release a non-minority prisoner 21%
not consider race.....43%
No Answer..... 8%

TABLE I

Question 72 was open ended, allowing for any possible response. The categories listed below were devised only to indicate the general areas of experience.

Qu 72. I Heard About . . . * * *

	<u>Freq</u>	<u>%</u>
Police Activity	17	16.8
DA Activity	8	7.9
Court Activity	44	43.6
Corrections Activity	3	3.0
Respondent ticketed or arrested	2	2.0
Friend ticketed or arrested	3	3.0
Public Defender or lawyer activity	2	2.0
Respondent or friend victimized	2	2.0
Other	20	19.8
	<hr/>	
TOTAL	101	100.1*

* Rounding error

80. In your own personal opinion, do you feel a prosecutor would be more likely to prosecute a defendant if the victim were a minority, if the victim were a non-minority, or would the prosecutor not consider the race of the victim at all?

Prosecute if victim was a minority.....25.0%

Prosecute if the victim was a non-minority.....17.2%

Not consider the race of the victim.....51.2%

No Answer.....6.7%

Please indicate the minimum level of education which should be required for people employed in the jobs listed below.

	<u>Grammar School</u>	<u>High School Degree</u>	<u>Two Years of College</u>	<u>College Degree</u>	<u>Post-Graduate Degree</u>
81. Patrol officer.... ()	()	()	()	()	()
82. Detective..... ()	()	()	()	()	()
83. Police supervisors. (sergeants/lts.) ()	()	()	()	()	()
84. Police executive (captain/chief)... ()	()	()	()	()	()
85. Prison guard..... ()	()	()	()	()	()
86. Parole officer.... ()	()	()	()	()	()
87. Magistrates..... ()	()	()	()	()	()

See Table 8, page 38

In the section below there is a list of places where you might find yourself at different times of the day. Please indicate, on the average, how safe you feel in each of the listed places.

	<u>Very Worried</u>	<u>Somewhat Worried</u>	<u>Not Worried</u>	<u>Never Thought About It</u>	<u>No Answer</u>
88. At home during day... 0.7%	0.7%	7.5%	65.5%	25.0%	0.4%
89. At home during evening..... 3.1%	3.1%	23.8%	59.9%	12.7%	0.4%
90. My neighborhood street during the day..... 1.0	1.0	4.9%	75.7%	17.8%	0.4%
91. My neighborhood street during evening..... 4.6%	4.6%	29.1%	56.7%	8.9%	0.7%
92. Street in the business area during day..... 1.5%	1.5%	14.2%	69.8%	13.2%	1.3%
93. Street in the business area during evening..... 13.6%	13.6%	44.8%	33.3%	7.5%	0.7%
94. On the job..... 1.0%	1.0%	9.9%	67.5%	18.0%	3.6%
95. Out hiking in woods..... 4.9%	4.9%	28.6%	49.3%	15.8%	1.3%
96. Camping, fishing, hunting... 4.4%	4.4%	27.6%	49.7%	14.6%	1.5%

Are you aware of any efforts by the legislature to deal with any of the following subjects? If so, what is your impression?

	No Ans	Aware	Unaware	Too Strict	If Aware Just Right	Too Lenient
97. Revise drug laws.... 3.3	3.3	66.3%	30.0%	98. 13.2%	13.5%	38.2%
99. Revise alcohol laws.. 3.7	3.7	58.9%	37.0%	100. 7.2%	17.6%	33.7%
101. Revise criminal laws 3.7	3.7	54.7%	40.8%	102. 3.0%	11.8%	38.6%
103. Revise sentencing laws..... 3.7	3.7	48.8%	46.9%	104. 3.6%	10.4%	33.1%

In the section below is a series of events -- please indicate if you have personal knowledge of their having occurred in your community. If you do, indicate whether you reported the occurrence to the authorities. If not reported, please use the number next to the reason that comes closest to explaining why it was not reported.

EVENT	KNOW ABOUT		REPORTED		IF NOT REPORTED, REASON WHY NOT
	YES	NO	YES	NO	
105. Husband beating wife.....	()1	()2	106. ()1	()2	107. ()
108. Wife beating husband.....	()1	()2	109. ()1	()2	110. ()
111. Father beating child.....	()1	()2	112. ()1	()2	113. ()
114. Mother beating child.....	()1	()2	115. ()1	()2	116. ()
117. Relative beating child.....	()1	()2	118. ()1	()2	119. ()
120. Child beating father.....	()1	()2	121. ()1	()2	122. ()
123. Child beating mother.....	()1	()2	124. ()1	()2	125. ()

** REASONS

- (1) Nobody else's business
- (2) Don't know who to report it to
- (3) Police couldn't do anything
- (4) Fear of reprisal (revenge) on the other persons or his/her friend(s) who were beating up on the other persons

Assume that the state only has a limited amount of financial resources available for use for the criminal justice system. The following is a list of uses of your tax money. Please number them in order of importance, with emphasis on the two MOST important (1-2), and the two LEAST important (9-10).

126. ___ preventative street patrols
127. ___ burglary prevention and investigation
128. ___ investigation and prosecution of violent crimes (murder, robbery, rape)
129. ___ increased police services for rural villages
130. ___ investigation and prosecution of heroin
131. ___ investigation and prosecution of barbiturates, marijuana, etc.
132. ___ vehicle safety enforcement, operating a motor vehicle while intoxicated
133. ___ prostitution prevention programs
134. ___ more detention (jail) facilities
135. ___ White collar prosecution and investigation (business fraud, consumer protection, tax evasion)

In your own personal opinion, do you believe that delivery or sale in Alaska of the following drugs to an adult should be a felony (very serious crime), a misdemeanor (less serious crime), or no crime at all?

	FELONY	MISDEMEANOR	NO CRIME
136. Heroin.....	()1	()2	()3
137. LSD.....	()1	()2	()3
138. Cocaine.....	()1	()2	()3
139. Alcohol.....	()1	()2	()3
140. Marijuana.....	()1	()2	()3

TABLE II

RELATIVE IMPORTANCE OF USES FOR FINANCIAL RESOURCES
(1-2 most important, 9-10 least)

Variable	Mean	Mode	Median
126	3.996	0	3.769
127	3.484	0	3.337
128	1.643	1	1.147
129	4.987	0	5.415
130	3.775	0	3.50
131	4.763	0	4.77
132	4.164	0	4.10
133	7.493	10	9.108
134	5.886	0	7.016
135	5.308	0	5.946

In your own opinion, do you believe that delivery or sale in Alaska of the following drugs to a minor (a person under 18) should be a felony (very serious crime), a misdemeanor (less serious crime), or no crime at all?

	<u>FELONY</u>	<u>MISDEMEANOR</u>	<u>NO CRIME</u>
141. Heroin.....	()1	()2	()3
142. LSD.....	()1	()2	()3
143. Cocaine.....	()1	()2	()3
144. Alcohol.....	()1	()2	()3
145. Marijuana.....	()1	()2	()3

see Table 14, page 38

In the section below is a list of statements relating to sentencing in criminal cases. Please indicate your opinion on each statement.

AN IMPORTANT CONSIDERATION IN SENTENCING IS...	strongly agree	agree	neutral	disagree	strongly disagree	No Answer
146.the seriousness of the offense in relation to other offenses.....	36.5%	40.2%	8.3%	8.3%	2.7%	4.0%
147.the nature of the offense and the extent to which it endangered public safety..	54.0%	39.3%	3.0%	0.3%	0.6%	2.8%
148.need to isolate the offender from society to prevent further criminal conduct during the period of confinement.....	41.9%	36.4%	11.4%	6.1%	0.3%	4.0%
149.effect the sentence will have in causing the offender to not commit future crim	43.2%	36.8%	10.5%	4.7%	1.2%	3.6%
150.effect of the sentence in causing other members of society to not commit similar kinds of crime.....	43.9%	32.0%	10.8%	8.1%	1.8%	3.4%
151.extent to which the sentence will support community opinion that the act is criminal and reinforce society's definition of good conduct.....	26.6%	34.9%	18.0%	11.2%	4.6%	4.6%
152.effect the sentence imposed will have on the likelihood of rehabilitation of the offender.....	30.6%	37.7%	15.1%	8.6%	3.0%	5.0%
153.reasonable uniformity in sentences is a good goal for the justice system....	36.2%	33.6%	14.2%	7.8%	4.0%	4.1%
154.the legislature should set the sentence which the judge must impose in all cases	15.1%	12.9%	13.6%	30.9%	23.7%	3.8%
155.the legislature should let judges impose sentences as the judges see fit in each individual case.....	17.5%	27.8%	16.0%	21.2%	13.2%	4.4%
156. Do you feel the <u>primary</u> purpose of imprisonment upon conviction of criminal conduct is punishment, or to deter future criminal conduct?						
punishment... 44.7%	deter future criminal conduct... 36.1%				Both..... 7.1%	
					No Answer.. 12.0%	
157. When sentencing a person convicted of a crime, do you feel the judge should only consider the nature of the crime and the persons prior criminal history, or do you feel the judge should consider other information regarding the crime and the person's background?						
Only nature of crime and criminal history....	33.7%					
Other information of crime and background....	59.9%					
No Answer.....	5.6%					

In the section below is a list of activities which might be available to prisoners. Please indicate how you feel on whether prisoners should be permitted to engage in these activities:

Be permitted.....	strongly agree	agree	neutral	disagree	strongly No disagree	Answe
158. frequent (weekly visits from friends,....	24.3%	48.2%	12.1%	10.1%	4.4%	0.9%
159. sexual relations with their spouse.....	15.4%	31.2%	17.5%	17.9%	16.7%	1.3%
160. send mail which is not opened or read by prison officials.....	15.8%	24.1%	19.2%	29.3%	10.5%	1.0%
161. daily recreation activities.....	33.4%	54.0%	7.1%	3.0%	1.6%	0.9%
162. watch TV during "prime time" hours.....	14.6%	41.1%	23.2%	13.3%	6.1%	1.6%
163. see religious counselors on a daily basis	27.5%	43.5%	22.8%	3.7%	1.3%	1.2%
164. see movies.....	11.2%	48.2%	24.6%	10.8%	3.4%	1.8%
165. wear their own clothes.....	11.1%	26.9%	20.9%	28.6%	11.2%	1.3%
166. attend classes inside the prison.....	37.6%	52.4%	5.3%	2.2%	1.8%	0.7%
167. participate in coeducational learning....	21.0%	30.3	21.2%	18.0%	7.5%	1.9%
168. daily visits from relatives.....	15.7%	27.2%	21.9%	26.8%	7.4%	1.3%
169. receive mail which is unopened.....	13.2%	21.6%	15.8%	35.4%	11.5%	2.5%
170. attend classes outside the prison.....	3.4%	11.7%	22.6%	37.6%	22.0%	2.7%
171. work inside the prison at the same wages paid outside of prisons for same work..	5.6%	13.8%	11.2%	33.4%	34.6%	1.3%

The following is a list of services which are usually performed by a police department. Please number them in order of importance, with emphasis on the two MOST important(1-2), and the two LEAST important(7-8)

172. ____ routine patrolling in residential neighborhoods
173. ____ routine patrolling in business districts
174. ____ regulating traffic and investigating traffic accidents
175. ____ investigating crimes which have been committed
176. ____ responding to complaints from citizens
lost dog, locked cars, etc.
177. ____ providing emergency medical
178. ____ dealing with juveniles
179. ____ intervening in family crises (child abuse, wife beatings, etc.)

Which of the following problems would likely cause you to call the police to deal with it.

PROBLEM	CALL POLICE		
	YES	NO	No Answer
180. pack of dogs running loose in neighborhood.....	31.4%	65.7%	2.9%
181. drunk person on the street.....	35.5%	60.8%	3.7%
182. gunshots near your home.....	88.8%	10.4%	0.9%
183. neighborhood kids operating snowmobiles recklessly.....	60.2%	36.8%	3.0%
184. trespassers.....	70.9%	26.9%	2.2%
185. mentally ill person.....	52.5%	43.2%	4.3%
186. loud party after midnight.....	26.0%	70.4%	3.6%
187. stranger in neighborhood.....	23.5%	72.8%	3.7%
188. live power lines down in the street.....	75.9%	22.5%	1.6%
189. member of your family seriously injured.....	60.4%	37.7%	1.9%
190. runaway child.....	83.9%	14.1%	2.1%
191. emergency weather report.....	13.9%	83.0%	3.1%
192. neighborhood kids taking your property without asking.....	60.4%	36.8%	2.8%

TABLE III

RELATIVE IMPORTANCE OF POLICE SERVICES
(1-2 most important, 7-8 least)

Service	Mode	Mean	Median
Investigating Crimes Committed	1	2.02	1.38
Routine Patrol in Residential Neighborhoods	1	3.08	2.69
Regulating Traffic and Investi- gating Accidents	0*	3.54	3.59
Routine Patrolling in Business Districts	0*	3.57	3.51
Intervening in Family Crises	0*	3.65	3.55
Providing Emergency Medical Services	0*	3.66	3.65
Dealing with Juvenile Delinquents	0*	3.71	4.05
Responding to non-Criminal Complaints	8	6.57	7.74

* Indicates that the most frequent response was No Answer

For each of the events listed below, how would you deal with a 16 year old person who had never been in trouble with the police before? Next to the event put the number for the way you would deal with the event.*

EVENT	HOW YOU'D DEAL WITH
193. Stealing a \$150 item from department store.....	_____
194. Breaking school windows.....	_____
195. Stealing a car.....	_____
196. Vandalizing inside of school.....	_____
197. Mugging an old man or woman.....	_____
198. Selling marijuana to a classmate.....	_____
199. Smoking marijuana.....	_____
200. Drinking in a bar.....	_____
201. Stealing a record from a store.....	_____
202. Having a beer party with friends.....	_____
203. Drunk driving.....	_____
204. Illegal sex.....	_____
205. Threatening teachers.....	_____

** HOW YOU WOULD DEAL WITH THE EVENT

- (1) send home to parents
- (2) repay the victim for the costs of damage and injury
- (3) probation (no youth center time)
- (4) probation and repayment to victim
- (5) short (3-6 months) period in state youth center
- (6) medium (6-12 months) period in state youth center
- (7) long (12 months or more) period in a state youth center

Do you believe that possession in Alaska by adults (persons over 18) of small amounts of the following drugs for personal use should be a felony (very serious crime), a misdemeanor (less serious crime), or no crime at all?

	FELONY	MISDEMEANOR	NO CRIME
206. Heroin.....	() 1	() 2	() 3
207. LSD.....	() 1	() 2	() 3
208. Cocaine.....	() 1	() 2	() 3
209. Alcohol.....	() 1	() 2	() 3
210. Marijuana.....	() 1	() 2	() 3

In which of the following situations should a police officer be allowed by law to shoot to kill (assume no warning shot would be fired, but a verbal warning such as "Stop or I'll shoot" would be given if practical). In each case the police officer only knows the following facts.

	SHOOT	NO SHOOT	No Answer
211. A person of undetermined age running from the scene of a robbery in which the victim was killed with a gun.....	61.7%	36.4%	1.9%
212. An adult person running from the general area of a burglary (house broken into) report.....	11.7%	87.0%	1.3%
213. A youth running from a mugging in which an elderly person was hurt.....	27.1%	71.4%	1.4%
214. A person crawling through the window of a house.....	11.5%	86.8%	1.6%
215. A car full of people meeting the descriptions provided by the victim leaving the general area of the crime scene.....	14.6%	84.0%	2.4%
216. An adult committing a robbery while holding a gun on the clerk.....	75.9%	22.6%	1.5%
217. A person under 18 fleeing from the police in a stolen car where no other crime has been committed.....	8.6%	90.4%	1.0%
218. A person firing at a police officer.....	94.8%	4.0%	1.1%
219. A person holding a hostage.....	73.1%	25.0%	1.9%

TABLE IV
DEALING WITH JUVENILE FIRST OFFENDERS
(in percent)

Event	Send Home 1	Repay Victim 2	Probation 3	Probation and Repay 4	Short Jail Term 5	Medium Jail Term 6	Long Jail Term 7	No Answer 8
Steal \$150 item from Department Store	5.6	20.1	8.0	52.5	5.2	2.5	1.8	4.3
Break School Windows	3.3	36.2	3.8	44.5	4.0	1.9	1.3	4.7
Stealing a car	1.2	6.1	12.9	26.2	26.0	11.5	11.2	4.7
Vandalizing inside of school	1.9	15.8	4.9	43.6	13.3	8.9	6.4	5.0
Mugging an old man or old woman	1.0	1.9	2.8	7.7	21.9	20.1	39.5	5.2
Selling marijuana to a classmate	14.3	1.0	27.8	3.6	22.9	8.6	16.9	4.9
Smoking marijuana	45.7	0.7	27.7	1.2	9.3	4.3	5.3	5.8
Drinking in a bar	44.1	1.5	30.5	2.2	8.4	3.1	4.6	5.5
Stealing a record from a store	14.9	27.8	8.6	37.6	3.6	0.6	1.6	5.2
Having a beer party with friends	64.8	1.6	19.5	2.1	3.1	1.2	1.2	6.5
Drunk driving	4.9	1.8	37.3	6.5	21.4	10.2	11.5	6.1
Illegal sex	56.2	1.2	13.2	1.8	5.9	3.1	5.9	12.7
Threatening teachers	29.9	1.8	33.6	5.2	11.1	5.0	6.1	0.4

220. Would you favor the creation of a single agency which would provide police, fire, emergency medical and social services for your community?

1() yes 35.2% 2() No 62.1% No Answer 2.7%

221. Do you think it would be a good idea for the state and local units of government to employ in one agency individuals who could perform equally well police, fire and emergency medical duties?

1() Yes 46.2% 2() No 50.7% No Answer 3.1%

222. Do you think that all hand guns should be registered with the local police department, the state troopers, or neither?

police department...17.2% state troopers... 15.2% neither...57.5%
Both 8.3% No Answer 1.8%

223. Do you think that before a hand gun can be purchased in Alaska, a permit should be issued by a local police department, the state troopers, or neither?

police department...15.8% state troopers... 16.9% neither...58.9%
Both 6.4% No Answer 2.0%

How would you personally rate the professional skills of the following Alaska criminal justice personnel?

	VERY POOR	POOR	FAIR	GOOD	VERY GOOD
224. local police.....	1()	2()	3()	4()	5()
225. firemen.....	1()	2()	3()	4()	5()
226. district attorneys.....	1()	2()	3()	4()	5()
227. judges.....	1()	2()	3()	4()	5()
228. state troopers.....	1()	2()	3()	4()	5()
229. fish and wildlife officers..	1()	2()	3()	4()	5()
230. probation/parole officers..	1()	2()	3()	4()	5()
231. state jail guards.....	1()	2()	3()	4()	5()
232. public defenders.....	1()	2()	3()	4()	5()
233. youth counselors.....	1()	2()	3()	4()	5()
234. social service workers.....	1()	2()	3()	4()	5()

In your personal opinion should the State of Alaska make the following activities criminal acts if they involve consenting adults in private quarters such as a home or apartment?

	Yes	No	No Answer
235. prostitution (male participant).....	26.9%	70.4%	2.5%
236. prostitution (female participant).....	26.9%	70.9%	2.2%
237. gambling.....	23.7%	74.4%	1.9%
238. homosexual lovemaking.....	27.2%	70.0%	2.8%
239. unmarried heterosexual lovemaking.....	17.0%	80.8%	2.1%
240. marijuana use.....	30.9%	67.0%	2.0%
241. cocaine use.....	65.1%	33.0%	1.9%
242. heroin use.....	83.0%	15.1%	1.8%

By which method would you personally prefer to select the following public officials?

	PUBLIC ELECTION	GOVERNOR APPOINTMENT	No Answer
243. Attorney General.....	69.4%	28.7%	1.9%
244. District Attorney.....	73.1%	25.0%	1.9%
245. District Court Judge.....	76.3%	21.4%	2.2%
246. Superior Court Judge.....	75.1%	22.3%	2.5%
247. Supreme Court Judge.....	72.5%	24.3%	3.2%

248.	How long have you lived in Alaska?	Freq	%
	No Answer.....	4	0.6
1()	Under one year.....	27	4.0
2()	1-3 years	68	10.1
3()	4-6 years	103	15.2
4()	7-10 years.....	89	13.2
5()	11-15 years.....	97	14.2
6()	16 years and over.....	288	42.6
249.	What is the last level of education you completed?	Freq	%
	No Answer.	30	4.4
1()	High school incomplete.....	47	7.0
2()	High school completed/GED.....	151	22.3
3()	College incomplete.....	207	30.6
4()	College complete.....	86	12.7
5()	College post-graduate	121	17.9
6()	Vocational training for special skills.....	34	5.0
250.	What is your general income level before taxes?	Freq	%
	No Answer.....	56	8.3
1()	Over 60,000.....	36	5.3
2()	Between 45-60,000	74	10.9
3()	Between 30-45,000	143	21.2
4()	Between 20-30,000	151	22.3
5()	Between 10-20,000	118	17.5
6()	Between 6-10,000	43	6.4
7()	Between 0-6,000	55	8.1
251.	What kind of work do you do?		
	See Table V, App II, p xv.		
252.	Sex	Freq	%
1()	Male	389	57.5%
2()	Female	276	40.8
	No Answer	11	1.7
253.	Are you a registered voter in Alaska?		
1()	Yes	561	83.0
2()	No	107	15.8
	No Answer	8	1.2
254.	How many people live in this household?		
	See Table VI, App II, p xv.		
255.	How many are under 13 years old?		
	See Table VII, App II, p xv.		
256.	How many are between 13 and 17 years old?		
	See Table VIII, App II, p xv.		
257.	Which age group do you fit in?		
	No Answer	17	2.5%
1()	18-24	79	11.7
2()	25-34	248	36.7
3()	35-49	225	33.3
4()	50-64	89	13.2
5()	65 and over	18	2.7
258.	Geographic area	Freq	%
	No Answer	3	0.4
1()	Rural	82	12.1
2()	Central	152	22.5
3()	Southcentral	287	42.5
4()	Southeast	152	22.5
259.	Race	Freq	%
	No Answer	21	3.1
1()	White	541	80.0
2()	Black	15	2.2
3()	Eskimo	47	7.0
4()	Aleut	7	1.0
5()	Indian	25	5.7
6()	Other	20	3.0

TABLE V

Qu 251 What kind of work do you do?

Type	Freq	Percent
No Answer	4	0.6
Professional	103	15.2
Skilled	116	17.2
White collar	134	19.8
Factory, unskilled, Domestic	98	14.5
Student	8	1.2
Other	5	0.7
No Occupation	30	4.4
Military	12	1.8
Unknown	166	24.6
TOTAL	676	100.0

TABLE VI

Qu 254 Number of People at Home

Number	Freq	Percent
No Answer	19	2.8
0	60	8.9
1	152	22.5
2	140	20.7
3	165	24.4
4	75	11.1
5	30	4.4
6	23	3.4
7	5	0.7
8	7	1.0
9		
TOTAL	676	100.0

TABLE VII

Qu 255 How many are Under 13 years old?

Number	Freq	Percent
0	336	49.7
1	139	20.6
2	136	20.1
3	44	6.5
4	14	2.1
5	4	0.6
6	3	0.4
TOTAL	676	100.0

TABLE VIII

Qu 256 How many are Between 13 and 17 years old?

Number	Freq	Percent
0	498	73.7
1	106	15.7
2	53	7.8
3	16	2.4
4	3	0.4
TOTAL	676	100.0